THE EVOLUTION OF POLICY DEVELOPMENT FOR PROGRAMS OF HIGHER EDUCATION IN THE LUTHERAN CHURCH MISSOURI SYNOD AND ITS RELATIONSHIP TO INTERNAL AND EXTERNAL GOVERNANCE 1944-1975

by

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CHAPTER I

INTRODUCTION

The burden of the researcher, like the frustration of an artist, is such that the products of both are never truly completed. One finally ceases to read another page by closing the book, to write another word by capping the pen, to paint another stroke by selling the painting. If there is any truth to the comparisons, and there seems to be, it is incumbent upon the researcher to exercise prudence and good judgment in the task of writing about his findings.

The serious student of history knows that many a beautiful theory has been slain by an ugly fact. That is a deductive conclusion from one perspective, inductive from another. To test the validity of any hypothesis requires some search for truth, some evidence to the contrary, and some hope for reliability in the finds. Whether the researcher employs survey, experimental, field, or laboratory methods of research (et al) to test his hypotheses, the goal of the task is to better understand, to adequately comprehend, and to appreciate more fully the unknown (always with a candid sense of scientific curiosity and skepticism).

The historical paradigm for research is as complex as late 20th century multiplex sound technology. It has rubrics which require careful content analysis, and is a qualitative method of research for measuring the unmeasurable. This dissertation is an example of qualitative content analysis, seasoned generously, yet carefully, with expert opinion. Expert opinion is the human yardstick, indispensable to research when the judgment of the researcher involves human values.

It is best to describe what follows as an 'expert opinion study,' a dissertation of noble intention with acknowledgments to history's refinements, eternity's corrections, and human error.

Among the significant influences during the author's graduate years and in his independent studies in higher education administration was Harold Hodgkinson, former director of the National Institute of Education, and presently serving as executive director of Professional Institute of American Management Associations. In an article entitled "Campus Governance - The Amazing Thing is that it Works at All," Hodgkinson says,

> At the moment, much of the research on governance consists of large scale attitude surveys, done without corroborative interviews and field research to make sure that people behave as their attitude tests would indicate. Indeed, there is some evidence that people do not behave consistently with their attitude profiles. Research on governance needs to develop ways of integrating different kinds of data (clinical and statistical, questionnaire and interview, attitudinal and behavioral, factor analysis and ethnography) which deal with the same phenomenon from multiple perspectives. . . Research on governance needs to be more useful to practitioners. This can be accomplished by getting practitioners involved in the research at the earliest stages of problem delineation, rather than after the research is completed, and

> helping practitioners to develop their own action-research techniques so that they are less dependent on professionals for evaluation. (The most meaningful form of assessment is probably self-assessment.) [1]

When the author began graduate student inquiry into studies in higher education administration, an essential part of the screening for admissions by his first advisor, Quelda Wilson, was to state in clear and concise terms the anticipated outcomes of a program of studies in higher education administration. It was also clear to the researcher that the major writing requirement for the degree program be in a formative mode. With regard to the latter, the design at that time suggested a comparative study of attitudes toward goals and functions on 16 church related (owned and controlled) campuses of the Lutheran Church-Missouri Synod. Two major inventories for data gathering purposes to be used were the Institutional Goals Inventory and the Institutional Functioning Inventory, both of Educational Testing Service, Princeton, New Jersey.

However, difficulties in obtaining access to various constitutent groups related to the 16 colleges and seminaries, dampened the spirit for the effort to gather data for legitimate research according to that design and methodology. With encouragement from the major advisor, Carl Hangartner S.J., a new design was proposed which required no permissions or sanctions in order to obtain the data necessary for carrying out a legitimate research project. Naturally, the design was historical, the data, ex post facto.

In the context of describing the mysteries of institutional governance, Hodgkinson states, "Some have suggested that participation in governance on large university campuses is one excellent way to produce campus radicals; the experience is so frustrating that students lose all faith in the system. The hypothesis cries out for testing." [2]

Similar frustrations are the rule, not the exception for most graduate students. The sage

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advice Hodgkinson gives in this poignant report calls for careful study. Furthermore, he says:

> Rather than concentrating on decision-making, research on governance should focus on the entire flow of behavior, beginning with the initiation of the idea, the translation of the idea into policy recommendations, their approval, ratification, codification, implementation, evaluation, and modification.[3]

And so the researcher developed certain questions in order to probe the possibilities of studying decision making in the higher education enterprise of the Lutheran Church-Missouri Synod. Is it possible to understand the program directions of higher education by a study of the codified and sanctioned policies of higher education? Do the policies, as organizational-behavioral blue prints, show a stable and/or dynamic character? Who or what influenced the formulation and the evolution of policy? These and many other questions and probes of similar interest and weight have given direction to the researcher, consonant with the observations of Hodgkinson.

Before the task of research can begin, there must be an atmosphere conducive to openness and permissive of investigation in order to gain access to important data for evaluation and interpretation. Few scholars delight in politicizing their informants in order to gain access to data.

It must be noted that sensitivities to the method and means of research for this dissertation had to account for one of the bloodiest battles sectarian education had ever publically witnessed in the 340 years since Harvard opened its doors and America had its first college in operation in 1636.

History has yet to write many additional chapters, as well as the final one, concerning the internal struggles of higher education in the Lutheran Church-Missouri Synod. Acknowledged for developing the second largest private elementary school system in North America, (the largest being the Roman Catholic private elementary school system), the late

1960's and early 1970's brought considerable change to the church body. National attention was given to a march into exile of a large majority of faculty and students at Concordia Theological Seminary, Saint Louis, Missouri.

Emerging from that walkout was an alternative institution for theological studies known as Seminex (now Christ Seminary-Seminex) which in its infant days was organized around the facilities and auxiliary services of Saint Louis University and Eden Theological Seminary, both of Greater Saint Louis, Missouri. Not the event of exile, but the reasons for which it occurred, blend into this history for which the researcher, and many like him, shall seek answers for many years to come.

How to you arrive at legitimate data for equally legitimate analysis and interpretation in a highly politicized and fractured environment? What is legitimate and expert opinion and what is expert and legitimate fact? These questions are as exciting to the researcher as is a bit of evidence to the sleuth who seeks to solve a mystery from only a thread of evidence.

Without exception, the informant interviewees for this study appeared to be greatly influenced by the events of the recent past in the church body. When attempting to probe for enlightened and studied judgments and opinions of the more distant past, it appeared that most were indeed handcuffed by the ugliness of what the church appeared to be doing to itself. "Watergate" as a national issue seemed like someone else's problem, because the Lutheran Church-Missouri Synod had its "Watershed at the Rivergate."[4]

Needless to say, engaging warring parties in the task of research, when fighting seems more important than either side winning, losing, or compromising, is something like starting a third fight in order to decoy attention for a moment from the war, long enough to get what you want and then to run. That is, in a way, doing what Hodgkinson describes when he says,

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> . . . some research will not be considered 'proper.' Purists will find it dirty, and will not want to share their Olympian heights with the practitioners and their pedestrian ways. Graduate students who suggest such research strategies for dissertations may have difficulties with their committees. Proposals based on these notions may not get past review panels. But, keeping in mind the impact of more conventional research on governance practices, one is struck with the next question: What is there to lose by trying new ways?[5]

When conventional quantitative-statistical attitudinal data seems to be unavailable, the resourcefulness of the researcher is an absolutely essential criterion for obtaining good and necessary information. Too much in research is not good and is also unnecessary. And then, there is no guarantee the data will be useful. For example, the graduate committee in charge of this dissertation approved the gathering or oral histories from selected representatives of selected constituent groups involved in policy development for higher education.

More than 50 hours of conversations, amounting to more than 1600 typewritten pages of transcriptions were recorded in order to attempt to validate and underscore the changes occurring in higher education policy in the Lutheran Church-Missouri Synod.

Those interviewed, in every case, (see Appendices N. and O.) had been or presently were involved in one level of decision-making. Although the data obtained is fascinating and very candid, yet there "remaineth" the unknown. At times it appeared that someone had sealed the lips (poetic accent) of persons who had much to offer, but who for reasons either known or unknown, declined to assist in the task of data collection. It is worth documenting at least three specific cases.

First, in the 139 years of higher education programs in the Lutheran Church-Missouri Synod, there has been only one board member at the national level who was a woman; never has there been a woman functioning at the regional (local board of control) level.

Miss Morella Mensing, an elementary school teacher or more than 40 years, was appointed by the president of Synod, Dr. Jacob

A. O. Preus to serve as a voting member of the Board for Higher Education.[6] The last 25 years of Miss Mensing's full time professional career were spent at Grace Lutheran parish school, River Forest, Illinois. For more than 50 years Grace Lutheran school had served as a laboratory and training school for Concordia Teachers College which shared the same 40 acres of property in the village of River Forest, Illinois.

It was not by accident that the researcher chose Miss Mensing as one of his informants. It was not because Miss Mensing had in fact taught all four of the researcher's children in the early primary grades, that she was selected. It was a deliberate design to have the only woman member of the Board for Higher Education in the history of the Lutheran Church-Missouri Synod document her experiences at this level of decision making.

Miss Mensing was a well-published scholar, considered by her peers to be a superior teacher, awarded the highest citation for the profession of teaching at Concordia Teachers

College, River Forest, Illinois, and more recently the receipient of an honorary doctorate from Concordia Theological Seminary, Fort Wayne, Indiana. A fascinating, loveable, and articulate person, Miss Mensing agreed to an oral history session to be taped early in 1977. Upon returning to Chicago from a trip to Saint Louis during the first week of January, 1977, the researcher received the following brief handwritten letter from Miss Mensing, dated January 5, 1977:

> Thank you for the confidence you place in me, but really, after reading the research questions several times, I must admit that I lack the comprehensive background to make judgments in many of the subject areas.
>
> I'm sure you'll find someone who has made a study of some of the topics and would be happy to share his or her views and interpretations.
>
> Sorry, Davd, but best wishes for success, and a happy, blessed new year to all.
>
> Morella - Wednesday - January 5, 1977.[7]

Second and third efforts to meet with Miss Mensing were always politely and courteously declined.

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The second example worth noting involved the efforts to visit with an esteemed layman, Martin Strieter from Rock Island, Illinois. Dr. Martin Strieter, a member of the original higher education committee of "13" [8] in 1934, and who served the Synod as Treasurer for many years, was a member of the Board for Higher Education from its formal beginning in 1938 until 1969 when he left office.

Dr. Strieter, now well into his 90's, still functions as Chairman of the Board of Strieter Corporation, Rock Island, Illinois, still takes his own telephone calls, still sets his own daily agenda. An unfortunate series of poor communications contributed ultimately to the decision not to grant the researcher an interview. Dr. Strieter, as was discovered later, used the telephone in place of a secretary and in addition to a secretary. Poor transmittal of messages ultimately led to frustration, and the non-interview situation. Correspondence and phone calls initiated by the researcher could not open a new door now closed by the accidents of internally poor telephone message service at Concordia Teachers College.

It was the good fortune of the researcher to meet and visit with a colleague of Dr. Strieter's whose years of service on the Board for Higher Education spanned even a greater time period. Walter Gast, distinguished university professor of Marquette University, Milwaukee, Wisconsin, formerly graduate professor of business administration at Saint Louis University for 30 years, presented a fascinating oral history of his experiences on the Board for Higher Education.

The third example has a yet different conclusion. Where both Miss Mensing and Dr. Strieter had both consented to an interview and then withdrew, the third person said yes, maybe not, and finally yes. Paul Zimmerman, president of Concordia Teachers College, River Forest, Illinois, for reasons unknown to the researcher consented to an interview in late autumn of 1976. After at least two additional contacts Paul

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Zimmerman finally rescheduled the oral history session for 3:00 p.m., February 15, 1977. At the time of the interview it was made very clear to the researcher that only after second and third thoughts had the president agreed to go ahead with the session. Furthermore, it was made crystal clear that he (Paul Zimmerman) had been advised (counselled was the word he used), not to speak about his many roles in higher education administration in the Lutheran Church-Missouri Synod after the year 1969.

In 23 prior interviews, not a single informant refused to discuss the history of the period from 1969 - 1975. Later in this dissertation, the evidence will substantiate the unusual dynamics of this period (1969-1975). Nevertheless, Dr. Zimmerman's perspectives, even though they would or could not include 1969-1975, were important. He was encouraged to share his story. At the time of the interview, Paul Zimmerman had been serving as a college president since 1954. He was inaugurated as the

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fifth president of Concordia Teachers College, Seward, Nebraska, in 1954. He carried on his executive administrative experiences as the first president of Concordia Lutheran Junior College, Ann Arbor, Michigan, from 1961-1973; and since November of 1973 he has been the president of Concordia Teachers College, River Forest, Illinois.[9]

Paul Zimmerman was appointed by Dr. J. A.O. Preus to serve as chairman of the fact finding committee that examined the faculty at Concordia Theological Seminary, Saint Louis, Missouri in 1970. He served as special assistant to the president of Synod to assist in the work of the regular convention of the Lutheran Church-Missouri Synod in New Orleans, 1973, and again prior to the 1975 regular convention in Anaheim, California - both times without naming acting presidents to serve in his absence except from time to time on an ad hoc basis.

Paul Zimmerman may be characterized as a determined leader, one who exercised direct and complete control as a college president, a synodical loyalist of the first rank, and a politically powerful person in the Lutheran Church-Missouri Synod (although he personally refuses to acknowledge the latter).

James Adams, religious editor and writer for the Saint Louis Post-Dispatch, a career newspaper editor, describes best the planting of Zimmerman's seeds of power when he reports how Dr. S. C. Ylvisaker, was "squeezed out as a professor two years after his twenty years of service as head of Bethany College, Mankato, in an in-house coup led by Paul Zimmerman, who later emerged in Missouri as Jack Preus's chief theological investigator."[10]

The Adam's reference predates Paul Zimmerman's arrival on the administrative scene in Lutheran Church-Missouri Synod higher education. Accurate or inaccurate, and impressions can be both, any person who meets Paul Zimmerman knows quickly he is dealing with power. If there is any doubt about his power, he served as chairman of floor committee 13 of the Dallas Convention of the Lutheran Church-Missouri Synod, which was in session during the time this dissertation was, in part, being written. Floor committee 13 had the responsibility of review and recommendation for the expenditures of millions of dollars for the work programs of the Synod, including nearly twelve million dollars appropriated for programs in higher education.

The history of the Christian church throughout all ages has been a history of conflict and strife, of power against power, of divisions and persecutions, of exilic living and hope for unity, of struggle for freedom, and commitment to personal causes. Born of discontent in western Europe, Lutherans migrated to America for religious and political freedoms A brief synopsis of this Saxon movement is the substance of chapter two of this dissertation.

END NOTES FOR CHAPTER I

[1] Harold L. Hodgkinson, College Governance-The Amazing Thing is that it Works at All. (Washington, D.C.: ERIC Clearing House on Higher Education, 1971), p. 12.

[2] Ibid., p. 12.

[3] Ibid., p. 12.

[4] Rivergate is the name of the Convention Center in which the 1973 Convention of the Lutheran Church-Missouri Synod held its 50th Regular International Meeting. The significance of the "Watershed at the Rivergate" slogan pertains to the internal stife which caught national headlines in New Orleans, July 6-13, 1973; the public outcry of faculty members of Concordia Seminary, Saint Louis, Missouri, concerning the alleged unfair treatment of their president John Tietjen who was later expelled from the Synod, and other major moderate issues and concerns as documented in the Convention Proceedings of 1973.

[5] Hodgkinson, College Governance-The Amazing Thing is that it Works at All, p. 12.

[6] During Miss Mensing's term of office the church body by Overture and Resolution (approved) changed the Bylaws so that members of the Board for Higher Education were to be elected by the delegate convention, rather than appointed by the church's president. Miss Mensing served as a board member during what many have called the darkest hours, some of the most critical and difficult years of the church's work in and through higher education. Miss Mensing was never elected to her position.

[7] Unpublished correspondence: Mensing to David T. Stein, January 5, 1977.

[8] The original higher education committee of "13" was appointed by the Board of Directors of the Synod at the 35th regular convention of the church assembled at Milwaukee in 1932. The purpose of the committee was to study, survey, and plan a permanent reorganization of the synodical educational system, and to report their findings at the subsequent convention.

[9] No other person in the history of the Lutheran Church-Missouri Synod has been president of three different synodical colleges. Zimmerman had earlier declined the offer to become president of Christ College, Irvine, California, the newest synodical college which had no plant facilities, faculty, or student body.

[10] James E. Adams. Preus of Missouri. (New York: Harper & Row, Publishers, 1977), p. 75. Bethany College, Mankato, Minnesota was a Junior College of the Evangelical Lutheran Synod.

CHAPTER II

BRIEF HISTORICAL OVERVIEW
THE LUTHERAN CHURCH - MISSOURI SYNOD

How does one effectively evaulate a period of history's timeline without making some effort to snapshot its context? You don't! This dissertation is a systematic study of policy evolution from 1944-1975, more than three decades of modern history full of tension, conflict, oppression, and by any person's assessment, a non-passive period .

International events including the end of World War II, the Korean crisis, the Suez conflict, constant strife in the Middle-east and the longest guerrilla warfare known to modern man in Viet Nam, shape the composite of events which served as a backdrop for the domestic activities of our nation, culminating in the ignominy of the Watergate scandals. It is unfair to history to leave it as stated above,

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nevertheless, the overview is fact. This study must take note of the results of the long and destructive second world war just prior to the time we gegin this investigation of higher education in the Lutheran Church-Missouri Synod.[1]

The end of this study (1975) bumps directly into a red, white, and blue parade of overt patriotism, the bicentennial year of the nation, carried out with some dignity, some grandeur, some honesty, and some excess.

Although some Americans still want to wear party hats, for the most part the shouting is over, major aggressions between countries and continents have not ceased but have given place to intra-national domestic-ethnic-socio-economic struggles, and history seems to be writing a different chapter, tense in content, yet tranquil by contrast to the past.

During this time period, developments in higher education in the LCMS reveal interesting data. Accelerated growth in numbers of students on synodical campuses, and the need for faculty development, marked this period of rapid growth. Post World War II growth in higher education throughout the United States found a parallel in institutions of higher education related to the Synod. Growth in student enrollment peaked in the academic years of 1968-1969, near the end of the terrible 60's when campus unrest dominated the news on a daily basis.

A major change in personnel occurred near the end of the period under study. Beginning already in the early 70's, administrative staff personnel, college and seminary presidents, members of local college and seminary boards of control changed with such velocity that adjustments created serious problems. Those who were approved for national offices, boards, commissions, and key committees, were screened for synodical and organizational loyalty . A conservative theological position was also helpful if you seriously desired any significant board position. Academic credentials and life experiences were considered as criteria for election to office, but second only to loyalty and theological conservatism.

And so, living and working in a mainline denomination which had distinguished itself by strife, conflict, and behavior that made it the top religious newsstory of 1974, 1975, and third in 1976 according to Religious News Service, calls for the most astute and critical judgment possible in fairness to the history of the organization.

When the LCMS was organized in 1847 a number of important events, people, and observations merit brief attention. Chicago, not Saint Louis, was its birth place. The United States was at war with Mexico. No railroads operated west of the Mississippi river. James Polk was President of the United States.

The first Lutherans in America, traced back to the 17th century, were Delaware Swedish, whose colonies began as early as 1638 two years after the opening of Harvard College. Georgia, New York, and Pennsylvania, all had established colonies of Lutherans by the middle of the 18th century.

Among the Lutherans of the Colonial Period, Henry Melchior Muhlenberg (1711-1787) was by far the outstanding person.[2] Muhlenberg arrived in America in 1742 with the motto "ecclesia plantanda" (the church must be planted). Six years later he organized the first Lutheran Synod on American soil known as the Pennsylvania Ministerium.

Among the names of other Lutherans, the Henkel family became prominent during the 19th century, particularly in the Carolines, Ohio, and Tennessee. Henkel was a name that stood for confessional Lutheranism, in other words, . . . "determined to maintain the Scriptural teachings of the Lutheran Church as set forth in the Confessions which had been adopted in the 16th century (chiefly Luther's Small Catechism and the Unaltered Augsburg Confession."[3]

American Lutheranism was not always confessional in its posture. Rationalism invaded the confessional nature of its status. There was a compromise by some among Lutheranism to become distinctively American. This influence is evident at the beginning of the 18th century among Swedish Lutherans. And once again, in the first half of the 19th century, Lutheranism attempted to enter mainstream American denominationalism.

Reacting to what some considered a lax Lutheranism in the Eastern part of the United States, the name Wilhelm Loehe, of Neuendettelsau (Bavaria, Germany), an antirationalist of the 19th century appears on the scene.Loehe sent Lutheran missionaries from Germany to the east central United States. Not only was he concerned with Germans, but he displayed an active interest in attempting to Christianize the American Indian. The followers and missionaries of Wilhelm Loehe established their communities in the fertile Saginaw Valley of Michigan.

The birthplace of the Lutheran Church-Missouri Synod, however, was not Frankenmuth, Michigan, and so the journey moves a bit south and west to Perry County, Missouri. Immigrants from Dresden in Saxony under the leadership of Martin Stephan settled in this rich and rural land south of Saint Louis, Missouri. Problems of a personal nature forced Pastor (Bishop) Stephan to be deported from the Perry County colony. A very troubled community, distressed because of the inadequate leadership of Stephan and by his apparent lack of moral integrity and character, these Saxons questioned whether or not they had done the right thing in leaving Germany.

Carl Ferdinand Wilhelm Walther stepped into the emotional and organizational vaccum created by Stephan's mistakes and provided the glue for the development and operations of a Lutheran Synod to be born officially some years later in Chicago, Illinois. C.F.W. Walther was the healing agent for the wounded colony of Saxon immigrants. After the so called Altenburg Debate in 1841,[4] six years elapsed before the Synod became a legal, organized and constituted body.

In seven short years the denomination grew so quickly that it divided for more effective service into four districts. Growth in parishes required the urgent preparation of professional church staff, pastors, and teachers. And so the need for training-schools was recognized.

Higher education was born of need in the middle of the 19th century. Before the founding of the Synod, nearly eight years earlier, three men were hard at work. Far more accustomed to wielding the pen, "they clung to their self-appointed task of putting up the first building of an institution of higher learning by Lutherans in America west of the Mississippi with dogged perseverance."[5]

Theodore J. Brohm, Ottomar Fuerbringer, and J. Friedrick Buenger were trained theologians. It was said that "Buenger especially minded neither blisters nor cuts, but cheerfully felled trees, split rails, and removed stumps. The well is still in use some sixty feet south of the cabin site and was dug by him alone."[6]

It is understandable why formal education should get a toe-hold before the organization it should serve was even chartered. The history of the LCMS demonstrates, even in the declining population years of the late 70's, the trend to begin many of its parish-based programs with education and educational facilities prceeding the construction of the church building itself.

From pious and humble beginnings in a handmade log cabin, higher education grew into a system of institutions which supplied a world wide elementary and secondary school system with trained personnel.

Membership growth for the church as early as 1880 had jumped from the twelve original congregations with approximately 12,000 members to a membership of about 345,000. The United States population at the same time was just over 50,000,000 persons.[7]

At the turn of the century (another 20

years of growth), United States statistics showed a population of nearly 76,000,000 persons, membership in the Synod had hurdled to 728,000. That percent of growth continued until the middle 1930's:

> After that time the membership of the Missouri Synod increased proportionally faster than did the entire population of the country. In 1940 the membership of the Missouri Synod was 1,392,000, or 1.05 percent of the population. In 1960 among the population of 179,323,000, there were 2,383,000 Missouri Synod members, making up 1.32 percent of the population.[8]

By 1975 the church body had grown to a parish statistic totaling 6,300 (congregations) with 2,800,000 baptized members. Due in part to a major schism in the late 1970's, there has been a slight decrease in membership. A breakaway group known as the Association of Evangelical Lutheran Churches reduced the membership by approximately 200,000 persons. Although this does not appear to be a significant number of members, nevertheless, it was a significant percent (7%) of the total number of persons pledged to support the working programs of the Synod.

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END NOTES FOR CHAPTER II

[1] Lutheran Church-Missouri Synod: the researcher has established the legal and proper title of the Lutheran Church-Missouri Synod by repeating the full name numerous times in chapter one. Henceforth, when and where appropriate, the acronym LCMS shall be substituted for the full name and title.

[2] C. S. Meyer, A Brief Historical Sketch of the Lutheran Church-Missouri Synod.(Saint Louis: Concordia Publishing House, 1963), p. 4.

[3] Ibid., p. 4.

[4] Meyer, A Brief Historical Sketch of the Lutheran Church-Missouri Synod, p. 8. In this discussion he (C.F.W. Walther) convinced the colonist that they had the right to regard themselves as members of the true church and that the Word of God was in their midst. The true church, he told them, is the totality of all true believers. Visible companies of men, among whom God's Word is taught in its purity and among whom the holy sacraments are administered in conformity to Christ's institution, may properly regard themselves as belonging to the true church.

[5] W.H.T. Dau, Ebenezer. (Saint Louis: Concordia Publishing House, 1922), p. 230.

[6] Ibid., p. 230.

[7] Meyer, A Brief Historical Sketch of the Lutheran Church-Missouri Synod, p. 19.

[8] Ibid., p. 19.

CHAPTER III

PROCEDURE - DESCRIPTION OF THE STUDY

THE HANDBOOK OF THE LUTHERAN CHURCH - MISSOURI SYNOD

The research task must have a reasonable limitation. In addition to the limitation of time, 1944-1975, the researcher has determined that the major focus of this study should deal essentially with the printed data contained in the official Handbook of the Synod. The Handbook of the Lutheran Church - Missouri Synod[1] is a regularly updated post convention publication, printed and distributed to the members of the Synod at no direct cost and made available from the headquarters of the international church body to anyone for a fee.

Since the Handbook contains the Articles of Incorporation, the Constitution, and Bylaws of the Lutheran Church - Missouri Synod, it is considered the ultimate written legal authority

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for operations from official convention to official convention. The synodical Commission on Constitutional Matters has authority to rule on matters that may appear to be contrary to the printed policies and regulations between conventions.

> e. The Commission shall interpret the Synod's Constitution, Bylaws, and resolutions upon thr request of a member (congregation, clergyman, or teacher), official, board, commission, or agency of the Synod. An opinion rendered by the commission shall be binding on the question decided unless and until it is overruled by a synodical convention.[2]

The burden of this research calls for a cross-section study of higher education policy. The context for evaluating policy development in higher education will assist the reader to understand how definitive Synod has been in its "manual of operations," how prescriptive and normative, rather than descriptive and permissive.

The Handbook of the Synod spells out in considerable detail the administrative relationships and the pattern of governance for all aspects of the denomination's operation in the

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following eighteen sections:

- I. Synodical Organization
- II. Synodical Administration
- III. Synodical Districts
- IV. Pastors and Teachers
- V. Adjudication and Appeal
- VI. Higher Education
- VII. Parish Education and Service
- VIII. Missions
- IX. Finances
- X. Pensions, Support, and Welfare
- XI. Publications
- XII. Communications and Public Relations
- XIII. Social Concerns and Welfare
- XIV. Fraternal Organizations
- XV. Special Ministries
- XVI. Interchurch Relations
- XVII. Auxiliary Organizations
- XVIII. Amendments to Bylaws [3]

Except for minor division title changes, the structure and organization of the Synodical Handbook has remained essentially static since its major overhauling in 1947

Who may submit overtures, such that they may effect Synodical Handbook changes?

> 2. Overtures are recommendations in the form of proposed resolutions requesting action on the part of the convention. Overtures to a convention of the Synod may be submitted only by a member congregation of the Synod, a convention or Board of Directors of a District, an official District pastoral or teachers conference, the faculty of an educational institution of the Synod, a board or commission of the Synod listed in Sections 2.03 and 2.05, or a committee established by a prior convention.[4]

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The Synodical Handbook is ultimately the result of legislative activity of the delegate conventions of the church body. Overtures and reports for discussion and action are prepared in written form and distributed to all delegates in advance for each regular convention.

Resolutions for action appear before the delegates as a result of convention floor committees who receive the overtures and reports under advisement and subsequently draft legislation for the voting body. The recommendations of convention floor committees and the results of delegate voting become matters of public record and are published in an official Convention Proceedings.

Resolution that substantively alter policy appear in the official Synodical Handbook under the appropriate Bylaw section. Such is the hard data in this research project. Beginning in 1944 and ending in 1975, the research will include the study of five major sections of the Bylaws under the division of

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higher education. They are as follows:

VI. HIGHER EDUCATION

A. Board for Higher Education

- 6.01 Personnel and Election
- 6.03 Functions of Board
- 6.05 Duties
- 6.07 Advisory Council
- 6.09 Duties of Advisory Council
- 6.13 Other Meetings

B. Boards of Control

- 6.21 Purpose of Boards of Control
- 6.23 Personnel of Boards of Control
- 6.25 Qualifications of Elective Members
- 6.27 Election of Elective Members
- 6.29 Vacancies
- 6.31 The Board's Executive
- 6.33 Board of Control Meetings
- 6.35 Board of Control Organization
- 6.37 Relation to the Synod and Legal Capacity
- 6.39 General Function and Duties

C. Teaching Staff and Faculty

- 6.51 The Faculty
- 6.52 Administrative Officers
- 6.53 Appointment of Members of the Faculty
- 6.54 Permanent Tenure
- 6.55 Ranking of Members of Staff
- 6.57 Salary Schedules
- 6.59 Faculty Organization and Meetings
- 6.61 Institutional Educational Policy
- 6.63 Institutional Policy Formulation
- 6.65 Evangelical Discipline and the Right of Appeal
- 6.69 Grants for Advanced Study
- 6.71 Sabbatical Leave and Leave of Absence
- 6.75 Controversies Among Faculty Members
- 6.77 Removal from Office
- 6.78 Board Supervision
- 6.79 Procedures for Exercising Board Supervision
- 6.80 Ecclesiastical Supervision
- 6.81 Appeals
- 6.82 Modified Service and Retirement

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D. The President of the Institution

6.91 Authority

6.93 Acting President

E. Election of President

6.101 Call for Nominations

6.103 Who May Nominate Candidates

6.107 Publication of Names of Nominees

6.109 Recommendations or Objections

6.113 The Faculty Committee

6.115 Electors

6.117 Elections

6.119 Publication of Election

6.121 Formal Call

6.123 Procedure if Call is Declined[5]

The sections outlined above are perhaps best illustrated in the Tables which follow. The reader is helped to overview and scan the significance of change by reading each Table according to the following legends:

+ = Addition
- = Deletion
o = Omission
* = Revision

Furthermore, each major division of

TABLE 3-01

VI. HIGHER EDUCATION
A. BOARD FOR HIGHER EDUCATION

CONVENTION YEAR

HANDBOOK SECTION	1944	1947	1950	1953	1956	1959	1962	1965	1967	1969	1971	1973	1975		TOTAL
6.01								*				*			2
6.03							*	*							2
6.05								*		*					2
6.07			*	*	*	*		*							5
6.09															0
6.11										-	o	o	o		1
6.13		o	+					*							2
TOTAL		0	2	1	1	1	1	5	0	2	0	1	0		14

+ = ADDITION
- = DELETION
o = OMISSION
* = REVISION

TABLE 3-02

VI. HIGHER EDUCATION
B. BOARDS OF CONTROL

CONVENTION YEAR

HANDBOOK SECTION

	1944	1947	1950	1953	1956	1959	1962	1965	1967	1969	1971	1973	1975		TOTAL
6.21				*		*									2
6.23						*						*			2
6.25						*			*	*					3
6.26		o	o	o	+	-	o	o	o	+					3
6.27						*	*			*					3
6.29						*									1
6.31						*									1
6.33						*									1
6.35						*									1
6.37			*	*		*			*						4
6.39			*			*				*					3
TOTAL		0	2	2	1	11	1	0	2	4	0	1	0		24

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TABLE 3-03

VI. HIGHER EDUCATION
C. TEACHING STAFF AND FACULTY

CONVENTION YEAR

HANDBOOK SECTION	1944	1947	1950	1953	1956	1959	1962	1965	1967	1969	1971	1973	1975		TOTAL
6.51			*	*	*		*								4
6.52		o	+		*										2
6.53			*	*		*	*	*		*		*			7
6.54		o	o	+	*		*	*	*	*		*			7
6.55							*			*					2
6.57							*								1
6.59					*	*				*		*			4
6.61				*	*	*				*					4
6.62		o	o	+		-	o	o	o	o	o	o	o		2
6.63			*			*									2
6.65						*	*				*				3
6.67									-	o	o	o	o		1
6.69				*											1
6.71					*							*			2
6.73							*			-	o	o	o		2
6.75											*				1
6.77							*					*			2
6.78		o	o	o	o	o	o	o	o	o	o	+			1
6.79						*	*			*	*	*			5
6.80		o	o	o	o	o	o	o	o	o	o	+			1
6.81								*			*	*			3
6.82		o	o	o	o	o	o	o	o	o	o	+			1
6.83						*						-	o		2
TOTAL		0	4	6	6	8	9	3	2	7	4	11	0		60

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TABLE 3-04

VI. HIGHER EDUCATION
D. THE PRESIDENT OF THE INSTITUTION

CONVENTION YEAR

HANDBOOK SECTION

	1944	1947	1950	1953	1956	1959	1962	1965	1967	1969	1971	1973	1975		TOTAL
6.91					*	*	*								3
6.93						*									1
TOTAL		0	0	0	1	2	1	0	0	0	0	0	0		4

TABLE 3-05

VI. HIGHER EDUCATION
E. ELECTIONS

CONVENTION YEAR

HANDBOOK SECTION	1944	1947	1950	1953	1956	1959	1962	1965	1967	1969	1971	1973	1975		TOTAL
6.101						*	*			*					3
6.103							*			*					2
6.105							*	*		-	o	o	o		3
6.107							*			*					2
6.109							*			*					2
6.111						*	*			-	o	o	o		3
6.113							*			*					2
6.115			*				*			*					3
6.117				*						*		*			3
6.119															0
6.121															0
6.123															0
6.125								*		-	o	o	o		2
6.127										-	o	o	o		1
6.129		o	o	o	o	o	o	+		-	o	o	o		2
TOTAL		0	1	1	0	2	8	3	0	12	0	1	0		28

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TABLE 3-06

HIGHER EDUCATION
DATA SUMMARY

CONVENTION YEAR

	1944	1947	1950	1953	1956	1959	1962	1965	1967	1969	1971	1973	1975	TOTAL
Number of major sections	0	49	51	53	54	52	52	53	52	46	46	48	48	604
Total number of paragraphs	0	84	94	99	102	130	136	140	140	132	132	153	153	1495
Number of paragraphs changed	0	0	22	20	20	65	33	17	4	47	5	42	0	275
Interval percent of change	0	0	26.2	21.3	20.2	63.7	25.4	12.5	2.9	33.6	3.8	31.8	0	--

VI. Higher Education, of the Synodical Handbook, is shown separately for the sake of clarity and comparison to the other sections. The reader will find Tables 3-01, 3-02, 3-03, 3-04, 3-05, and 3-06 extremely helpful in measuring and evaluating the evolution of policy development in higher education in the LCMS from 1944-1975.

Of the 604 major sections (representing 1,495 individual paragraphs) examined, 275 sections were changed in one way or another.

Since the Synodical Handbook of 1944 was so radically different in format,paragraph structuring, and major sectioning, the comparative study of significant Handbook Bylaws (by convention year) begins with 1947. From that convention until the present, a standard numerical system of sections and paragraphs (with sub-paragraphs) has been consistently maintained.

It was, therefore, possible for the researcher to systematize the qualitative study of change according to a quantitative format,

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using the results of the 1947 convention of the LCMS (adopted and revised Handbook) as the base for our comparisons.

The Data Summary, Table 3-06, which illustrates change best at first glance, attempts to help the reader understand the following:

1. Comparisons are made on the convention year timeline from 1944 - 1975 according to two and three year intervals.[6]

2. Major higher education Handbook sections including the -

   a. Board for Higher Education
   b. Boards of Control
   c. Teaching Staff and Faculty
   d. The President of the Institution
   e. Elections

show an amazing stability over the period of 31 years of studied policy change. Beginning with 49 major sections in 1947, the largest number of major sections, 54, occurred in 1956, the lowest in 1969 and again in 1971 when 46 appeared.

The total number of major higher education Handbook sections was 604, an average of 53.3 per interval of synodical history.

3. Where stability of numbers of major sections seemed to be the consistent pattern from 1944 - 1975, the same is not true regarding the internal content of these Handbook sections. For example, in 1947, 49 major sections were divided into a total of 84 paragraphs and sub-paragraphs; in 1975, 48 major sections, or one less major section than in 1947,[7] were broken down into 153 major paragraphs and sub-paragraphs. This was a net addition of 69 paragraph sections, a 45.1 percent increase.

One thousand four hundred and ninety five individual paragraphs were carefully screened and studied. The Data Summary, Table 3-06, illustrates a steady trend of growth in number of Handbook Bylaw changes from 1947-1975. Two exceptions can be noted, namely, 1969 and 1971. The implications of a growth pattern in the number of Handbook paragraphs may not necessarily be interpreted as adding more Bylaws.

In the study of certain sections, more paragraphs seemed to be better than fewer because lengthy and often clumsy paragraphs (or major sections) were pulled apart for clarity and systematically reorganized and in some cases restructured with nothing essentially new added or subtracted.

4. As the number of paragraph sections grew, it was incumbent upon the researcher to study the changes occurring at the time of each convention. The actual number of paragraph changes with percentages gives the reader an indication of at least two things:

a. stability vs. change in the higher education policies section of the synodical Handbook, and

b. the significance of certain convention years.

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TABLE 3-07

PERCENT OF CHANGE FROM LEAST TO MOST SIGNIFICANT

0.0 - 1947
0.0 - 1975
2.9 - 1967
3.8 - 1971
12.5 - 1965
20.2 - 1956
21.3 - 1953
25.4 - 1962
26.2 - 1950
31.8 - 1973
33.6 - 1969
63.7 - 1959

TABLE 3-08

PERCENT OF CHANGE CHRONOLOGICALLY

0.0 - 1947
26.2 - 1950
21.3 - 1953
20.2 - 1956
63.7 - 1959
25.4 - 1962
12.5 - 1965
2.9 - 1967
33.6 - 1969
3.8 - 1971
31.8 - 1973
0.0 - 1975

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It is very important to discern the quantitative vs. qualitative changes during each interval of the church's life. At times the number of changes may simply reflect minor editing rather than substantive change. The paragraph by paragraph analysis will underscore the significance of change or the lack of it.

Since this study views the timeline of history from 1944 - 1975 in intervals of two and/or three years, the reader is able to assess stability or change by comparing the number of paragraphs changed to the previous total number of paragraphs.

BRIEF HISTORY OF THE SYNODICAL HANDBOOK

Historically, the Synodical Handbook did not appear as a regular post convention publication but rather was the result of a committee, which often included Seminary professors, instructed to prepare a new draft of the Constitution and Bylaws. The committee was traditionally appointed by and responsible to the Synod.

The language of the official Synodical

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Handbook was German, with English translations appearing early in the 20th century. The 1924 edition, with introductory remarks by John H. C. Fritz, former Dean at Concordia Theological Seminary, Saint Louis, Missouri, was "in the making since the year 1914."[8] The English edition was translated from the fifth completely revised German edition.

It is worth noting the importance and significance of this publication since both the President of Concordia Seminary, Saint Louis, Missouri, the Reverend Ludwig Fuerbringer, and the President of Synod, the Reverend Frederick Pfotenhauer, were directly involved in its publication.

Early English translation editions of the Synodical Handbook included a comprehensive index and a section called Important Documents which in the more recent years since 1945 is no longer appended. Such legal documents as the Articles of Association (Incorporation of the Synod), institutional charters, agreements made by the Synod with other church-bodies, and the Constitution of the Synodical Conference were included.

Close examination of these important organizational documents can easily create an interesting digression from the primary research in this dissertation. On the other hand, it is significant to note, for example, that in the Charter of the River Forest Institution, which appears as part of the Important Documents section of the 1924 edition of the Synodical Handbook, the founding fathers were wise in the choice of organizing under the aegis of the Board of Trustees rather than the present concept of Board of Control. A more detailed study of the various synodical constituencies related to higher education, will appear later in the research. Equally interesting is the fact that the original charter of the River Forest institution, dated 2 February 1865 is amended as early as 2 February 1867 and bears testimony to the concern for division in the church,

> Sec. 2. The Property, real and personal, of the Corporation created by this act aforesaid, approved February 16, 1865, in case of a division of the aforesaid Synod shall be held and controlled by such branch of said division as shall remain true to the Book of Concord of the year A.D. 1580. And the real estate of the said Corporation, to the amount of thirty thousand dollars actually used for educational purposes, shall be exempt from State, County, and Township taxation. (Approved 2/21/1867). [9]

a factor of organizational behavior which has attracted much attention in the third quarter of the twentieth century in synodical higher education.

"There can be no doubt among us that we need our Synodical Handbook,"[10] so wrote the reverend father of the church, M. F. Kretzmann, Secretary of Synod in the year this author was author, 1936. No new edition of the Handbook had appeared since 1924. Major editing and revising were called for in order to include the additions and revisions made by Synod in the 1926, 1929, 1932, and 1935 delegate conventions.

Noteworthy is the fact that Synod in

1935 "gave the President of Synod the authority to appoint a committee to prepare a new edition of the Handbook to be printed in English only, such English revision to be the authorized version."[11]

M. F. Kretzmann's handbook committee did major overhauling on the format of the book. However, two more major attempts to restructure the book would occur (in 1943 and 1947) before it would finally emerge and appear in a usable functional format, the one still in use without change in 1979.

The 1937 edition of the Synodical Handbook also eliminated some of the previously appended Important Documents of the earlier editions. It is interesting to sense the spirit of the editor of the 1937 Handbook, captured best by the last paragraph in his preface:

> May also this book of apparently cold and rigid rules and regulations serve the cause of Him who expects that in His Kingdom everything should be done decently and in order, I Cor. 14,40!"[12]

In October of 1943, the Handbook Revision Committee, over the signature of M.F. Kretzmann, distributed the Proposed Synodical Handbook of the Evangelical Lutheran Synod of Missouri, Ohio, and Other States. It would be formally presented in June of 1944 at the church's delegate convention, in Saginaw, Michigan. The committee had been instructed:

> . . . to complete the work of revision and to submit a copy of the revision of the Handbook at least one year before the next General Convention to every pastor and teacher in order to permit a thorough discussion in pastors' and teachers' conferences, congregational and circuit meetings.[13]

October to June obviously did not conform to the original stipulation for 'up-front-time' to discuss the major revisions of and new structures for the Synodical Handbook, and so the convention resolved:

> 1. That Synod extend a vote of thanks to the handbook Committee for its faithful and efficient work during the past five years;
>
> 2. That the adoption of the Proposed Synodical Handbook be deferred until the next convention;
>
> 3. That in the meantime individual members

of Synod as well as congregations, circuits, and conferences be encouraged to study the Synodical Handbook and the proposed changes as printed in the 1944 Book of Memorials and recommend such changes or corrections as they feel to be desirable;

4. That a new reviewing committee of not more than five men be appointed by the President to study the Proposed Synodical Handbook, and to receive such additional criticisms or suggestions;

5. That all such criticisms or suggestions be submitted to this Committee in writing not later than January 1, 1946;

6. That this Committee continue the work of the present Committee 6 and submit its recommendations regarding the Proposed Synodical Handbook direct to the next convention for adoption;

7. That the 1937 edition of the Synodical Handbook be brought up to date so as to include changes adopted in 1938, 1941, and 1944, and that this reprint be made available during the interim in pamphlet form, so as to make it possible for members of Synod to compare the Proposed Synodical Handbook with the present Synodical Handbook.[14]

The seven resolutions were adopted by Synod in the above form.

The arduous work of the committee, under the able and skillful leadership of M. F. Kretzmann must be acknowledged particularly for its foresight in ordering and arranging the Synodical Handbook according to the system used in many law books, "number the sections consecutively but in such a way that insertion can be made without disturbing the numbering."[15]

This far sighted effort on the part of the committee did not effectively come to the light of day officially until it was finally adopted in the 1947 convention of the Synod and published under copyright of 1949.

And so another edition surfaced in 1945 including changes that had been adopted in the 1938, 1941, and 1944 conventions. This edition in pamphlet form was to be studied carefully in anticipation of the 1947 convention held in Chicago, Illinois, when the Handbook was, by action of the delegates, to take on a new and more enduring form. A brief condensation of content in the 1945 Handbook will appear later in this chapter.

Prior to convening at the Palmer House in Chicago, delegates received a Proposed Synodical Handbook. Careful attention was given to underscore the encouragement for each delegate to "weigh carefully every criticism and suggestion," and to submit the same no later than January 1, 1946, eighteen months before the next regularly scheduled convention. The Convention of 1944 had declared:

> . . . that it (the Handbook Committee) submit its recommendations regarding the proposed Synodical Handbook directly to the next synodical convention for adoption . . . [17]

The committee members, charged to review the Handbook revisions, were the following: Herman Harms, Chairman, Herbert Kuenne, Ed Jaeger, and Arnold H. Grumm, Secretary. Although it was the previous committee under the leadership of M.F. Kretzmann who deserves the credit for the present readable and well organized Handbook, the delivery of the final product is to be attributed to Arnold H. Grumm and committee.

In order to keep the years of Synodical Handbook publication discernably separate from the actual dates of the delegate conventions, the following Table is presented:

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TABLE 3-09

SYNODICAL CONVENTION DATE	SYNODICAL HANDBOOK COPYRIGHT
June 21-29, 1944	1945*
July 20-29, 1947	1949*
June 21-30, 1950	1951
June 17-26, 1953	1953
June 20-29, 1956	1956
June 17-27, 1959	1960
June 20-30, 1962	1963
June 16-26, 1965	1966
July 7-14, 1967	1967
July 11-18, 1969	1969
July 9-16, 1971	1971
July 6-13, 1973	1973
July 4-11, 1975	1975

Since this dissertation begins with the study of policy related data from 1944, published in the official Synodical Handbook of 1945 (before the systematically structured and numbered edition of 1947, dated finally in 1949), the reader will be helped to understand what happened in the dramatically up-graded, revised, and edited Handbooks since 1944, by studying a few excerpts from the 1945 edition.

With no exception but for a personal footnote, the following examples appear as verbatim quotes from the Synodical Handbook of

1945. The researcher has been careful in his selection of major and minor divisions or sections so that the reader may compare at least two important elements:

1. the order and arrangement (even) including the awkward and non-standard form of outline used to divide between sections; and

2. the dramatic changes from the 1945 Handbook to the 1947 edition (1949 copyright) and subsequent publications which were of a substantive nature.

A. EDUCATIONAL INSTITUTIONS

I. The Faculties

> 1. All instructors of an institution, except the assistants, constitute the Faculty.[18]
>
> (One must take note of the schema for the organization of Handbook sections. Traditional outlines should follow the order of I., A., 1., a., 1^{1}., a'.)
>
> 4. The Faculty shall decide whether severe punishment must be inflicted; but it shall not expel a student without the consent of the local board.
>
> (Obviously the Board of Control was engaged in more than policy formulation. Execution of the policy in the case of

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errant student underscored the control concept).

7. All extracurricular work which our instructors have to do for their respective institutions must be done gratis.

II. THE PRESIDENTS OF FACULTIES

2. The President, being the supervisor (inspector) of the institution . . . shall therefore

    a. Visit the classes of all instructors and see to it that the prescribed course of study and the lesson schedule are carefully observed . . .

    b. The President shall be in charge of the steward (Hausverwalter)

3. . . .being the spiritual adviser (Hausvater) of the students shall (the president)

    a. carefully and dilligently watch over their souls;

    b. watch over their conduct during study periods . . .insist upon . . . cleanliness

(Note, even though the English language, by convention resolution, had become the official language of the Handbook, the parenthetical remarks, often made to underscore the significance of a regulation, appeared from time to time auf Deutsch.)

IV. THE BOARDS OF CONTROL

2. . . . shall diligently observe

a. whether the doctrine taught in the institution be that of the Word of God . . .

19. All institutions shall charge a so-called 'furniture-fee' to make replacements when and as they become necessary.

V. THE BOARDS OF ELECTORS

1. The Boards of Electors or the so-called electoral colleges of the Synod shall consist of the President of the Synod or one of the Vice-Presidents, the Board of Control, which shall have one collective vote, and five additional members, three of whom, if, possible, shall be chosen from the District in which the college is located and two from adjacent Districts.

VI. SUNDRY RULES AND REGULATIONS FOR THE EDUCATIONAL INSTITUTIONS OF THE SYNOD

A. For all Educational Institutions

4. All moneys given for the support of indigent students shall not be sent to them directly, but to the President of the institution or to an instructor whom the Faculty has appointed to take charge of the fund for indigent students.

5. (a.), Since all our students receive free tuition and housing on the part of Synod all students ought to be ready to do some manual or other labor at our synodical institutions, as their time may permit.

7. (b.), The number of school days for

> the various institutions shall be: at Saint Louis, at least 165; at Springfield, at least 175; at the normal schools and colleges at least 180.
>
> 13. All Students who have a singing voice shall be obliged to take vocal instruction . . .the local boards, whose duty, moreover, it shall be to see to it that the right use of the voice in speaking and singing be learned by the students.
>
> E. FOR THE TEACHERS' SEMINARIES
>
> 4. The quota of women students at our teachers' colleges shall be regulated by the College of Presidents as it finds it necessary or desirable.[19]

The chapter to follow will deal systematically with the policy additions, deletions, omissions, and revisions in a chronological fashion from 1944 - 1975.

END NOTES FOR CHAPTER III

[1] Handbook of the Lutheran Church - Missouri Synod, the official and proper title of the Synod's manual which contains the legal documents of the church body, shall more often than not be referred to as Handbook and/or Synodical Handbook without underlining, because of the numerous citations in chapters three, four, and five.

[2] The Lutheran Church - Missouri Synod, Handbook of the Lutheran Church - Missouri Synod, 1977 (Saint Louis:Concordia Publishing House, 1977), p. 68.

[3] Ibid., pp. 5-8.

[4] Ibid., pp. 32-32.

[5] Ibid., pp. 133-157.

[6] Until 1965, conventions of the LCMS were held every three years. This pattern changed following the Detroit convention of 1965. Subsequently the cycle has been consistently on a two-year interval.

[7] The researcher has included the data of 1947 in the totals as he interprets change. Obviously one cannot compare 'no change against no change' other than to conclude a completely non-dynamic period, i.e., 1973-1975. Since the form of the Synodical Handbook was fully changed in the 1947 convention, we included it in the total of 1,495 paragraphs studied.

[8] The Evangelical Lutheran Synod of Missouri, Ohio, and other States, Synodical Handbook of the Evangelical Lutheran Synod of Missouri, Ohio, and other States, 1924 (Saint Louis: Concordia Publishing House, 1924), p. iii.

[9] Ibid., p. 115.

[10] The Evangelical Lutheran Synod of Missouri, Ohio, and other States, Synodical Handbook of the Evangelical Lutheran Synod of Missouri, Ohio, and other States, 1937 (Saint Louis: Concordia Publishing House, 1937), p. iii.

[11] Ibid., p. iii.

[12] Ibid., p. v.

[13] The Evangelical Lutheran Synod of Missouri, Ohio, and other States, Synodical Handbook of the Evangelical Lutheran Synod of Missouri, Ohio, and other States, 1943 - Proposed (Saint Louis: Concordia Publishing House, 1943), p. i.

[14] The Evangelical Lutheran Synod of Missouri, Ohio, and other States, Proceedings of the Thirty-Ninth Regular Concention, June, 21-29, 1944 (Saginaw, Michigan - Saint Louis: Concordia Publishing House, 1944), p. 200.

[15] Proposed Synodical Handbook, 1943, p.ii.

[16] The Evangelical Lutheran Synod of Missouri, Ohio, and other States, Synodical Handbook of the Evangelical Lutheran Synod of Missouri, Ohio, and other States, 1947 - Proposed (Saint Louis: Concordia Publishing House, 1947), p. 3.

[17] Ibid., p. 4.

[18] The universal titles of professional rank in American Higher Education were alien to the LCMS at this time.

[19] The Evangelical Lutheran Synod of Missouri, Ohio, and other States, Synodical Handbook of the Evangelical Lutheran Synod of Missouri, Ohio, and other States, 1945 (Saint Louis: Concordia Publishing House, 1945), pp. 73-89.

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CHAPTER IV

EXAMINATION OF THE POLICIES
1944-1975

At the time the researcher presented himself to the graduate committee for candidate status, in harmony with support of the graduate committee for the proposal was the common conclusion that the complete and often 'tedious' sections of qualitative data must appear as documentation for the evidence of either Synodical Handbook stability or change. In concert with the previous observation was the decision to present the data as a series of appendices (in order not to interrupt the narrative of the dissertation) with divisions and sub-divisions which would enhance the readability and understanding of the data.

In order to present a logical as well as chronological comparison of the Handbook content, it was agreed that the 1947 and 1975

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editions should appear in their entirety. They are the "book-ends" of the substantive changes by sections, paragraphs, and subparagraphs which appear also, by committee decision, in the Appendices.

The reader must note that the structural format (numbering system for major and minor sections) changed radically from the 1945 edition. This was a result of the 1944 Saginaw, Michigan, convention of the church. The casual historian would venture at least one conclusion, namely, the Missouri Synod came out of the dark ages of its structured documents rather abruptly with the approval of the new document.

When order was carefully fashioned in 1947 from the previous Handbook materials, there seemed to emerge a more readable, more comprehensible, and more technical manual of policy for higher education in the LCMS. It is within the corpus of this material that we are able to examine the changing nature of that which was to govern the persons who made the decisions during the third quarter of the 20th century.

Evidence from many of the oral history informants would indicate that the dominance and control of most constituent groups on and off campus was by the president or his office through World War II. Following 1945 Missouri took a more deliberate and visible step into mainstream American higher education.

In attempting to assess the dynamic or stable character of policy in the LCMS, it is necessary to have some knowledge of who is the decision-maker and who is not. Near the end of the 1960's, G. Kerry Smith edited a collection of essays of prominent persons in education administration. He gave the title Agony and Promise to this anthology of speculation, a worthy description of the transitional period America had witnessed after the activism of students in the 60's and before the apathetic and passive 70's.

Writing under the title "Who Decides Who Decides," Harold Hodgkinson makes the following poignant observation:

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> Governance is very hard to study for some of the same reasons that sexual behavior is hard to study. In our culture, both are considered private acts, not to be performed in public to be observed and commented upon by others. Warren Bennis (President of Cincinnati University) related the incident in which a university president asked a group of his most prestigious professors to make a list of about ten of the most pressing problems facing the nation. After several weeks of working the professors came up with a list of about ten; heading the list was the topic, university organization. Then the president asked the group to rank order the list in terms of those problems they should actually work on. Organization came in last.[1]

The evolution of policy development for programs of higher education in the LCMS and its relationship to governance, internal and external, from 1944-1975 is an interesting history.

What is necessary for the reader to understand the distinction between Handbook policy in higher education, (a type of canon law) and operational policies and procedures, is a study of the major Handbook sections dealing with higher education per se. One informant has observed that much of what research discovers in the Synodical Handbook under division VI. Higher Education, is a result of what the Board for Higher Education and local college and seminary boards of control did in order to protect themselves from the Board of Directors of the Synod.

It is possible to trace, from the beginning when policies were first codified, to the present, an ever increasing number of Bylaws. It is the printed data in the Synodical Handbook, not an operational procedures manual that this study engages. Quite interesting is the realization that persons involved in planning and execution of higher education policies, practices, and programs are willing and able to discuss decision making and governance and all aspects of the institution of higher education, but are generally quite unstudied concerning the official Handbook policy and are disinterested and sometimes unwilling to discuss it. What follows is the full development and explication of the substantive changes in policy from 1944-1975.

In order to structure the period from 1944-1975 as well as to identify the significant data for manageability, readability, and assessability, the writer suggests the following basic assumptions:

1. Central growth and cultural accommodation of the church body leads to the establishment of the Board for Higher Education in order to retain the values of standardization, fixed pattern, and traditional centralization - 1944-1953(really began already in 1937).

2. Institutional growth and cultural accommodation lead to an increasing pattern of delegation while retaining review and veto rights of centralization - 1953-1967.

3. Monitary slippage transfers increasingly real power rather than simply formal accommodation to cultural patterns to local levels - 1967-1969.

4. The loosening of the ability to exercise institutional control creates increasingly elaborate attempts to exercise personnel control -1969-1971.

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5. The Synod as system suffers malfunctions and breaks down to such a degree that centralized authority becomes increasingly powerless and lacks the will to impose decisions it has the authority to make - 1971 ff.

These basic assumptions lead to the current state of fragmentation, parallel and conflicting decision-making at different levels of authority, increasingly detached efforts to exercise lost power, and growing pragmatism at the operational level.

The preceeding chapter concluded by illustrating policy statements from the Handbook section dealing with higher education prior to 1947. In order to key on the significance of change, the researcher must address the document itself and examine the importance of each section, item by item.

The remarks of substance and interpretation will be addressed to each major section of policy according to a codification system established in 1944. The remarks will attempt to place significance and importance on each section within the framework of the basic assumptions for this time period. Comments shall be made in the following order concerning:

1. the Board for Higher Education
2. the Board of Control
3. the Teaching Staff and Faculty
4. the President of Colleges and Seminaries
5. election Process

It should be noted that order of importance is in no way reflected by the order of presentation although numbers one through four do suggest progressive levels of authority, especially if you invert numbers three and four.

VI. HIGHER EDUCATION

A. Board for Higher Education

6.01 Personnel and Election. The significance of the first words which characterize the Board for Higher Education,[2] is to be found in the words, "shall be appointed by the President of Synod in conjunction with the

Vice-Presidents of Synod, subject to the approval of the College of Presidents (known today as the Council of Presidents)."[3]

A word to explain the hierarchy of boards is in order, since the foci of the dissertation deal with the distribution of power and authority. The Board of Directors of the Synod is the board of the church with final authority. Legally autonomous according to institutional charter (either state and/or common wealth) is the Board of Control of an institution. Between these powerful policy formulators sits the BHE.

Significant little is written about the relationship of boards as they influence or have authority over other boards. The nature of the description of the BHE is consistent with the traditionally male-pastor-clergy-authority-domination of the Synod. It is also important to note the ratio of membership by type: three pastors, a (one) teacher, and three laymen.

From 1944 - 1965 there was no change in Bylaw 6.01. The 1965 edition changed the process for selecting and approving BHE members, a minor and very insignificant change. The only modification from the previous two years was to delete the words "in conjunction with the Vice-Presidents of Synod," and a name change for district presidents when in session from College of Presidents to "Council of Presidents."[4]

Not until 1973, 36 years after codifying the new Bylaws, did the researcher discover a change of major significance. The wording "shall be elected by the Synod,"[5] replaced the procedure of appointment. Any amount of speculating about the differences between election and appointment would be speculatively political since this change occurred after a highly politicized four years (1969-1973) in office of a new Synodical President. The convention of the LCMS held in New Orleans was a highly publicized and politicized and controversial meeting resulting in many changes affecting particularly the faculties of colleges and seminaries related to the church.[6]

The composition of the BHE was not changed by the convention, only the process for establishing membership. The significance of the timing for this change deserves a study in its own right. In order to make the process potentially more democratic, election seemed to be preferred to the appointment process.

Enlightened leadership has the authority and the responsibility to balance the appointees politically as a genuine expression and call for fairness in the policy formulation and formulating body. Highly politicized groups can reinforce bias in the selection process thereby insuring a polarization and closedness in place of the alternatives of egalitarianism and openness.

In addition to care for the protocol concerning the election of and/or appointment to board positions, the Synod provided for a BHE advisory committee consisting of college and

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seminary presidents,(See Appendix A., 6.03, 1947). They meet only at the call of the board (officially). Only a minor change occurred in the 31 years under study with regard to this policy. In 1963 Synod added more specificity to the statement; . . ."or their representative," was changed to read . . ."and acting presidents."[7]

This Bylaw has remained static since the early 60's. In paragraph 6.03, 1965 no content changed at all. The paragraph was renumbered 6.07 in order to conform to the logical content of the preceding paragraph. It seemed appropriate to sequence the Handbook paragraphs to follow an order from"Personnel and Election," to "Function," and then "Duties." So that the reader is not confused, it is suggested that he acquaint himself with the appendices, especially the changes in sections 6.03, 6.05, and 6.07. BHE functions were stated with care and changed only once in the course of 31 years. Paragraph 6.03 of the 1965 Handbook added the clause, "and through their respective Boards of Control and faculties,"[8] with reference to maintaining the institutions at a high level of efficiency.

The researcher would anticipate discovering some change, if not the most significant change in the "duties" catagory for organizational membership. The reader is not disappointed. Paragraph 6.07 in the 1950 Synodical Handbook has a major deletion when compared to the 1947 document. Regarding the prescribed curriculum at each institution of the Synod, a major deletion follows: "It shall keep in mind the view point of the faculties both before and after the policies have been formulated."[9]

The changes referred to above seem to indicate a strengthening of the BHE's hands perhaps to the point of arresting some local initiatives. Under the duties section are to be added sub-paragraphs j, k, and l. These three additional duties all relate specifically to the evolution of closer ties to and greater control by the Board of Directors of Synod.

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The BHE is subordinate to the Board of Directors in matters of properties maintenance and repair, lease, rental, construction of any building, and further concern for prioritizing educational programs funded by the Synod. The early 50's tended to be the testing ground (period) of struggle for power between boards. Since the BHE under its first full-time executive, Martin Neeb Sr., was carving its way into mainstream American higher education with the excitement of new models of professional education, the Board of Directors of the Synod asserted itself with controls that were not anticipated.

Ninteen hundred and fifty three continues the story of BHE clout. Among the "duties" to undergo editing and change as a matter of policy was the prescriptive statement regarding admission, transfer, and enrollment policies "reguired in the interest of effective educational procedures . . . in harmony with Synod."[10] At the same time the policy was altered to be more specific concerning the engagement of staff (See 6.07 g., 1953 , Appendix C.). This appeared to be an effective way to force the Board of Directors hands on staffing.

Sub-paragraph 6.07 j., 1953 Handbook, adds the legal aspects of responsibilities for construction and maintainence of physical properties to the Board of Directors of Synod, and not the local Board of Control. Net additions to the duties section include the concern for student aid programs of the various synodical districts, and an all encompassing statement regarding"powers, duties, and jurisdiction."[11]

BHE power is still growing in 1956. Following the Korean Crisis (war), more than ten years after World War II, the traditions of the Synod and its emphases on a distinction between "ministry and teaching profession" is very much alive. The convention modified the list of duties for the BHE to include the "development of plans and procedures for a Synod-wide recruitment of students for the ministry and teaching profession."[12]

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Three years later the church in convention dombined ministry and teaching into one word - "professional."[13] Furthermore, the Bylaw notes a greater concern for cooperation between the BHE and the Board for Parish Education in providing professional guidance to area and community Lutheran high schools (See 6.07 o., 1956).

Following the 1962 convention in Cleveland, Ohio, when the duties of BHE members were listed under paragraph 6.05 instead of 6.07, little change occurred. In fact, from 1962-1977, only three sub-paragraphs showed any change at all in classifying and/or clarifying the duties of the BHE. However, significant change is not necessarily quantitative. Sub-paragraphs p., q., and r., which appeared for the first time in 1969 (born of the Synodical convention actions taken in New Orleans) each unchanged to the present, bears testimony to a major shift in the direction for synodical programs of higher education. All three duties granted the BHE authority without power.

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Paragraph 6.05 p., of the 1969 Handbook, states the issue clearly regarding the authority of the board "to consolidate colleges to the extent required by the church's professional needs and by its financial condition."[14]

The nagging issue of dollar subsides for the support of higher education programs in Synod caused the BHE to express concern about the long range goal of smaller school consolidation. Where a number of inefficient units, because of location and size, could be brought together, the Synod in convention approved the policy to enable consolidation, but consistently never practiced what it preached. In the long history of synodical higher education closing schools and/or opening new ones has been the antithesis to consolidation.

Sub-paragraph q. of 6.05, 1969 Handbook, was essentially one more policy which assigned authority to the BHE concerning the duplication of graduate programs on synodical campuses, a "discretionary" authority again with the power to enforce the policy. There was, however, a consistent lack of will to exercise this authority.

Perhaps the most far reaching development and approval of policy to be studied is paragraph 6.05 r., 1969, a statement that has in fact changed the face of many institutions, the sense of system, and the willingness to coordinate programs for the sake of cooperation in the church's mission to the world through higher education programs. Sub-paragraph r., has had a profound impact on the church body since it was endorced by the legislative body in New Orleans, in 1969. The best available data to support the significance of this policy statement is unrelated to this study. Since this policy was adopted, four schools, formerly Junior Colleges in design and program, have been granted authority to become four year institutions. Two additional two year schools, St. John's College, Winfield, Kansas, and Concordia College, Austin, Texas, have made overtures to the LCMS in convention to become degree granting institutions.

BHE authority and power on one hand and regional constituent power on the other, effectively neutralized the issues. Consolidation was defeated as a logical system's answer to the inefficiencies that are displayed by too many small educational units, coordination of programs gave way to competition, and people power was the winner. The BHE was once again a body with authority but without "power."

Duties of any organized body could predictable change over more than a quarter of a century, and duties did change with regard to the BHE. As the research will show (from 1944-1975) the most significant changes occurred in sections 6.05 and 6.07. Later research will speak to the significance of change as it is quantified by specific convention year.

Three other policy subdivisions need to be identified, 6.09, 6.11, and 6.13. Each is a discrete statement (single unit, one paragraph); only two of the three demonstrated any dynamic at all. In 6.09, "Duties of Advisory Committee," no change occurred throughout the period of study in this dissertation. Paragraph 6.11, "Meetings with the Faculties," was a constant and unchanged policy until 1969 when it was removed from the Synodical Handbook. Meetings called by the BHE with faculties of Synod's educational institutions prior to this time were significant. Of even greater significance was the later adoption of section 6.13. Selective meetings of faculty and administration from the schools, funded outside the operational budgets of the individual institutions, paid high dividends in developing trust, cooperation, and mutual respect for and effort toward the developing synodical system of higher education.

It is a given fact that organizations should elect board members who politically, educationally, geographically, and regionally represent the immediate constituency. A national board can be elected, it seems, somewhat more philosophically and apolitically.

How can a delegate convention responsibly elect members of boards of control for regional institutions when a large percent of the voting delegates know little about the institution, and nothing about the candidate for board membership? Nevertheless, the father of the church provided for the election of the Board of Control of each synodical school from New York to California, from Edmonton, Alberta, Canada, to Seminario Concordia, Porto Alegro, Brazil, South America, to be a matter for the entire plenary body of the church in convention to decide.

The reader must remember that Synod's BHE has a supervisory function above the local Board of Control. However, the fact remains that the local Board of Control is legally (by charter of state law) responsible for the operations of the institution.

In 1953 the church body modified the policy on the election of Board of Control members. Changes included deleting"triennially," adding the conditions of the membership of the District President, and the introduction of a staggered election procedure in order "that at each triennial convention the terms of one half of the members shall expire."[15]

In 1959, the so-called higher education convention of the LCMS took place in San Francisco, California. A major section of policies were changed by action of the delegates. The process for elections was about to shift. In place of the statement regarding elections is the section of policies dealing with the "Purpose of Boards of Control."[16]

A precise statement regarding Board of Control personnel was enlarged upon and expanded in the 1959 Handbook; in fact as the reader studies the significant changes related to the local Board of Control, nearly 50 percent of all changes occurred in 1959. The San Francisco convention was the beginning of Board of Control and faculty reorganization. Paragraph 6.23 a., made it prescriptive for

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the President of the District to be included. Maximum and minimum numbers of members were established. Of particular note is sub-paragraph 6.23 c., acknowledging the particularized attention and focus given to the theological seminary. The fact that only seminaries enjoyed special attention from synodical headquarters, seemed to point toward greater centralized control.

The qualifications for Board of Control membership remained unchanged until 1973. Fourteen years had elapsed since the convention of 1959 had so dramatically changed much of the policy related to higher education. In 1959, terms of the board members were "nine years, in such manner that one third of the members shall be elected at each convention of the Synod."[17] Compare 6.23 a., 2., 1973 Appendix K., "members who shall be elected at the conventions of the Synod for terms of 4 years in such manner that about one half of the members shall be elected at each convention of the Synod."[18]

Subsection b., of 6.23, 1973 was modified as well. The special concern for theological seminaries persisted. Although some would consider the years board members could serve significant, it appears to the researcher that Synod's concern in this area was inconsequential.

It is difficult to compare paragraph to paragraph from convention year to convention year because of a considerable shifting of internal paragraph arrangement. And yet, although the reader must snake his way through the labyrinth of policy statements, the final analysis is a demonstration of more consistency, section by section, paragraph by paragraph.

Earlier editions of the Synodical Handbook carefully differentiated between the personnel of boards for the seminaries and the teachers' colleges. For twelve years, the distinction made reference only to the Saint Louis Seminary. During the 1956-1959 biennium, the so-called practical seminary in Springfield, Illinois, enjoyed visibility for the first time in Bylaw 6.26, Synodical Handbook, 1956.

To illustrate the status problem between the seminaries, the reader must know that ten years before the Springfield Seminary was given recognition in the Synodical Handbook, the Board of Control at Saint Louis had a high ranking member of Synod's Board of Directors appointed to its Board of Control by the President of the Synod.,(cf. 6.25, 1949, Appendix A.).

It is also significant that the same Bylaw governing the Vice-Presidential appointment speaks about the College President. "Since he(the college president) is to be the executive of the board, he should remain for the duration of the meeting."[19] By the time any specific reference to the Springfield Seminary appears, ten years later, the condition for attending the duration of the meeting is gone. And before the ink is dry on Bylaw 6.26, 1956, it is being readied for extinction.

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Bylaw 6.26 reappears in the literature in 1969. Reincarnated, its new content concerns the "Prohibition of Conflict of Interest,"[20] still under major division VI., Section B., Board of Control. The evolution of policy change is well illustrated by the study of paragraphs and sub-paragraphs which are normative for Board of Control membership. Pastors, teachers, and laymen are discretely catagorized in 6.25, 1959, Appendix E. References to specific institutions drop out and a more detailed statement of qualifications appears. Ninteen hundred and fifty nine was the most significant year for the establishment of these qualifications; however, it would be unfair to ignore two other changes, both minor in nature.
The artificial distinction between voting and advisory members of Synod, and the ability to hold membership on the Board of Control of an institution of Synod was removed in paragraph 6.25, in 1967.

The more significant change for which there seems to be little criticism is the deletion from paragraph 6.25 f., of the following words: "nor shall they (Members of the Board of Control) enter into gainful business contracts or relations with the institution."[21] This conflict of interest statement became a separate section in the Handbook, numbered 6.26 from that time on.

By this time the careful student of policy change is able to logically deduce that since 1959, which changed every policy in section VI., B., Boards of Control, the numbering system of paragraphs and sub-paragraphs were locked into the same substantive data, and that the re-arranging of and reordering of any old data had stopped.

Paragraph 6.27 in the Synodical Handbook clearly states the process for the "Election of Elective Members," (See Appendix E.). Three years later the policy was revised by deleting the introductory statement and changing the

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authority to convene the Electoral College from the President of Synod (cf., 6.27 c., Appendix E., 1959) to the "chairman of the convention Election Committee."[22]

In addition the Cleveland convention gave the "members of the Board for Higher Education and its Advisory Council . . . authority to attend the meetings of the Electoral College."[23] In 1969 the last two changes occurred, namely, the "Board" for Convention nominations became a "committee," and the convention determined to fix the number of elective members to be elected.[24]

The policy statement concerning vacancies on the Board of Control remained unchanged during the years under study, one of only four static Bylaws. Paragraphs 6,31, 6.33, and 6.35 receive additional shifting and shaping as a result of legislative action at the 1959 delegate convention. For example, earlier sections referred to the executive officer of the institution (cf., 6,31, 1947 Appendix A). The new nomenclature appeared as "the Board's Executive;"[25] (cf. 6.31, 1959, Appendix E.).

Paragraph 6.33 strengthens the position of the presidency also clarifying his role as an advisory member of the Board of Control, but surely opening the door for a greater power base from which to operate.

The organization of the Board of Control was streamlined once again as a result of action taken at the 1959 convention. The election of a Vice-Chairman became prescriptive by adopting 6.35 a., 1959, Appendix E. The rather long section b. of the 1947 Handbook (still subparagraph 6.35) was modified greatly, and subparagraph c. was eliminated.

Paragraph 6.37 "Relation to Synod and Legal Capacity," has much to say about interrelatedness, interdependentness, and the law. The researcher simply cannot cancel this section out of it due meaning and significance. Paragraph 6.37 focuses on the issues which have caused considerable conflict in the governance

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of synodical higher education. Who decides what, when, where, and why is the nucleus of this Bylaw. It was not easy to state the relationship of Synod's various boards in legal terms because there always seemed to be a different opinion as to where the authority of one board ends and where the other begins. The strongest evidence to support the previous statement is embodied in the change appearing in 6.37 a., 1950, which added the following:

> All matters which according to synodical regulations require the attention of any board, agency, or officer of Synod shall be submitted to the BHE for reference to the appropriate board, agency, or officer.[26]

Why was this significant? The BHE seemed to broker all board related concerns whether they were at the Board of Directors level, or the concern of the local Board of Control. In part it seemed organizationally sensible to put a finger on all issues related to higher education. On the other hand, some of the 'control factors' were nothing more than just that, control with a private concern for power

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and, perhaps, often unconscious of the unnecessary overlapping of duties.

As the years passed by only two issues of significance surfaced regarding the BHE's relation to Synod and Legal Capacity. At the time of the 1959 convention, an addition to paragraph 6.37 takes note of the Charters, Articles of Incorporation, and Constitution and Bylaws of each institution and their conformity to the Synodical documents. The last change to occur in section 6.37 comes in 1967. Synod made it clear that the Board of Control has no power to close and/or"sell any part of a synodical property which constitutes the main campus of such institution."[27]

The functions and Duties of members of Boards of Control are stated in Bylaw 6.39. The only change to occur for more than a decade focused on the responsibilities of the Board of Control in reporting to the Board of Directors (at regular intervals) the status of properties under its jurisdiction. In 1959, an elaborate statement totally rewritten and revised appears under the same numbering system 6.39. The Bylaw is lengthened considerably. The most prescriptive addition to the previous subpoints appears in 6.39 e., and relates specifically to business management.

Paragraph 6.37 g., is significant since the safeguard built into the policy was a direct reaction of the BHE staff and board to a situation which happened at Concordia Theological Seminary, Saint Louis, where students for years had successfully managed the bookstore. Administration by direction of the Board of Control took the store and the profits away from the students. The researcher was to become the manager at the time this constituent struggle occurred between students and administration. Students retained council only to lose in an out of court resolution of the conflict. This situation has not happened since on any synodical campus (cf., 6.39 g., 1959, Appendix E.).

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The only change to occur since the complete reorganization of this section in 1959 is an additional enabling policy which states:

> The Board of Control may appoint or cause to be elected . . . special committees consisting of its members or of any other persons qualified to participate in the designated activity of the committee.[28]

C. TEACHING STAFF AND FACULTY

Nearly one half of all the changes occurring in the Synodical Handbook under division VI. Higher Education are related to the teaching staff and faculty. If the quantity of change is significant, and it seems to be, the researcher anticipated also a qualitative significance of change. The reader will not be disappointed. Informants also tended to substantiate the need for care in studying the section on Teaching Staff and Faculty. Both directly and indirectly this constituency had impact on the evolution of policy affecting the teaching function and its relationship to institutional governance in a most dramatic fashion.

Since 1962 there has been no change to the standardization of proper titles for members of the teaching staff. Earlier catagorization is worth noting. Significant changes did occur between 1950 and 1962.

At the time of Bylaw revisions in 1944, four ranks were identified for synodical teaching personnel. They were as follows: "Assistants, Instructors, Associate Professor, and Professor." The ranks were universally applicable without regard to college or theological seminary.

In 1950 a significant change occurred. Paragraph 6.51 excluded reference to personnel (faculty) at the theological seminaries. Five classifications now appeared. Assistants, as a category was changed to "Student Assistants,"[29] and the new category of "Assistant Professors" was added.[30]

The evolution of ultimate conformity to the classical nomenclature for academe continued. In 1950 the category of Assistant Professor was

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introduced with elaboration on the differences between Instructors and Professors except for noteable matters such as tenure, salary and renewal.[31]

Three lines were added to paragraph 6.51 b., in 1953, "such personnel is eligible for a call to higher faculty rank if the qualifications for such a position have been met."[32]

Again in 1956 we see significant change. Titles of the teaching staff continue to move toward a traditional American pattern. Graduate Assistant becomes the lowest point of entry into the system replacing the Student Assistant . . . "the original appointment shall be for one year and may be renewed for a second year. Such personnel may also be classified as fellows and may at the same time be rnrolled as resident students in the school for graduate studies."[33]

The significance of the above points to a greater trust on the part of the BHE for the local Board of Control. In section b., of

6.51, 1956, the restrictions are removed on the number of appointments which may be offered to an instructor, and the orderly progress of advancement is detailed; i.e., from Instructor to Assistant Professor rather than Instructor to Associate Professor or Professor.

Two additional minor changes continue the evolutionary process of updating. Subparagraphs 6.51 d., and e., 1956, reflect an appropriate wording change regarding the two upper academic ranks. Associate professors and professors "shall be chosen in accordance with the synodical regulations governing the nomination, the election, and the calling of"[34] . . . rather than the previous nomenclature.

For the first time a discrete section on Substitute Teachers is added. (See 6.51 f., 1956, Appendix D.). For six years there were no changes in titles or categories. Then in 1962, at the Cleveland convention of the LCMS, higher education was blessed with the "accepted" pattern of American higher education titles, detailed in 6.53, (See Appendix F.).

Paragraph 6.51 (Previously 6.53, 1959) was adopted as follows:

> a. The faculty of each synodical institution shall consist of the president, the administrative officers holding instructional rank, and the regular instructional staff members.
>
> b. Special lecturers and substitute teachers shall hold advisory membership on the faculty.[35]

Not until 1950 does the Handbook of Synod differentiate between colleges and seminaries regarding the teaching staff. Paragraph 6.52 describes the categories according to the following titles: Fellows, Instructors, Special Lecturers, and Professors (See 6.52, 1950, Appendix B.). In addition, a precise description of administrative positions is set forth in sub-paragraph 6.52. It is both fascinating and of significance that the policies governing the seminaries should be so specific concerning personnel and their prerequisites for office.

In 1956, paragraph 6.52 changed focus and substance in total and has remained static to date. The new emphasis and content was appropriate. From the accent on teaching staff at the seminaries emerged the specific policies related to Administrative Officers. Sub-paragraphs 6.52 a., and b., added greater responsibility to the already emerging powers of the local Board of Control. The statement gave the delegated power of the BHE much higher visibility. (See 6.52, 1956, Appendix D.). The last twenty years have produced no change in this policy.

In 1947 the LCMS adopted the following statement regarding Members of Faculty:

> The Faculty of each educational institution of Synod except Concordia Seminary, St. Louis shall be composed of the President of the institution, the professors, associate professors, and all those administrative officials who are called by the Board of Control in accordance with the regulations hereinafter prescribed. Instructors shall hold advisory membership in the faculty. At Concordia Seminary, St. Louis, the President, the deans, and the professors shall constitute the academic faculty.[36]

Subsequently, the 1950 edition added to the above one additional sentence: "In matters relating to doctrine or establishment of policy, only the called members of a faculty and administration are entitled to vote."[37] It became obvious to the researcher that higher education in the LCMS had distinctive levels of prestige and marked differences between "the" seminary in Saint Louis, "a" seminary in Springfield, Illinois, and other schools. The policy did not survive revision at the next biennial convention. If evolution is the key word of the dissertation title, it is certainly well and perhaps best illustrated in this Bylaw-policy-statement.

The 1956 convention tacked on still more verbage and modification. One more sentence in an unchanging sequence of accumulation read: "After five years of service, instructors and assistant professors at the colleges may be granted full voting privileges by a majority vote of the faculty."[38]

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The 1959 convention which dealt so carefully with higher education matters also had its impact on the issues embodied in paragraph 6.53. In fact the evolution of this section embodied a series of changes resulting in the content of what had previously appeared as paragraph 6.51 in the 1947 Handbook. Paragraph 6.53 of the 1947 Handbook in turn became the content of 6.51, 1962 and following.

The significance of these changes listed above is to be discovered not in a numbering of paragraph's game, but in the very content of the changes, especially after 1962. The fulcrum for change, major as it would appear, was the elimination of faculty ranks and the distinctions among them concerning voting on matters of doctrine and policy, and the elimination of the five year restriction instructors and Assistant Professors had to wait for voting privileges.

In 1962 the new form for paragraph 6.53, "Members of Teaching Staff," takes on

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the content referred to earlier, namely, the recognized pattern of faculties by title and rank. New paragraphs appear as sections g. and h., clarifying the role of the "Visiting Professors" and spelling out the "Criteria for Appointment."[39]

At the very heart of this dissertation is the issue of change. Three years later section 6.53 continues to undergo significant change. In fact, no other section undergoes and endures change as much as section 6.53.

In 1965, Assistant Professors for the first time are granted tenure after eight years in rank as an Assistant Professor.

> The Board of Control, on recommendation of the president, shall grant tenure to an assistant professor within 8 years of the initial appointment to a synodical institution or convey notice in writing that tenure will not be granted.[40]

Combining regulations for the two upper ranks, associate and full professors, appear in a revised section 6.53 d.; newly added sections e., and f., detail the prescriptions for a call with tenure as well as eligibility for tenure.

Section 6.53 f., 1965 deserves additional study for the significance of its desired end, namely, an inbred system of higher education.

A significant break with the past was approved for inclusion in the 1965 Handbook, sub-paragraph i. of 6.53. The change had to do with lay members on the teaching staff and their eligibility for tenure by a "procedure satisfactory to the electors . . . in granting tenure to the candidate four weeks after his name has been published in the official publications of the Synod."[41]

The reader will note that section 6.53 escapes change for a period of four years. But when it comes back for review and adoption at the 1969 New Orleans convention of the church, major changes occur. In fact the student of governance and policy change needs to thread his way through the sub-paragraphs of sections 6.53, 6.54, and 6.55 very carefully in order to assess the magnitude of activity during the period from 1965 - 1973. Key years in which major changes occurred were 1969 and 1973, years when an incumbant challenger wins election as president of the Synod and four years later is re-elected.

The impact of the changes occurring in 1969 and 1973 was significant. The all out effort to Americanize Synod's faculty personnel practices is evidenced in 6.53 a., b., c., d., and f., (See Appendix I.). Key to the changes were some of the following: appointments for terms from one to four years, non-renewals without formal statement of cause; appointments in writing with limitation of academic freedom stated in writing, and selection and advancement criteria provided.

The year 1973 was more of the same. History tells a sordid story of faculty strife and discontent throughout the church's system of colleges and seminaries. Late in 1973 an entire seminary faculty with the exception of five professors marched into exile over the issue of the person and position of their president and the alleged malfeasance in office and advocacy and teaching of false doctrine.[42]

The work on section 6.53 was still not complete. There seemed to be a new perspective on the office of the college and seminary president. The authority of the president's office in relation to the local Board of Control was enhanced. Consent with the BHE, prior to the approval of faculty, already a statement of policy, was placed into position b., formerly sub-paragraph a.

New also was the final decision on the renewal of appointment . . . it shall be "the sole prerogative of the Board of Control . . . appointments with permanent tenure could be extended if the candidate has already been granted permanent tenure by another educational institution of the Synod . . ."[43]

It is time to'close the book'on paragraph 6.53. Readers will recognize and researchers will discover the significance of this major policy section in the synodical Handbook for years to come. It does not, however, suffer from isolation. Two other companion policies need to be scrutinized in concert with the Bylaws governing the appointment of faculty members.

One of the more significant three line Bylaws to appear in the Synodical Handbook was the following: "All new appointments to the teaching staff of a synodical college are subject to the consent of the Board for Higher Education."[44] The growing centralization of BHE power is magnified by this inclusion, new to the previous order of policies related to the teaching staff and faculty. Paragraph 6.54 was not a static policy. Two additional sections were added in 1953, paragraph 6.54 b., dealing with the prior approval of "part-time or substitute teachers extending beyond one year,"[45] and the necessity for special approval for seminary professors, "subject to the consent of electoral boards."[46]

Paragraph 6.54 does not change in 1959. What follows, beginning in 1962, is another evolutionary chain culminating with a new section on tenure. Worth noting are the following changes. The 1962 convention of the church added sub-paragraph d., which authorized the Board of Control of each institution, with approval of the BHE, to appoint administrative officials or employees and to fix the conditions of their synodical service.[47]

In 1965 minor shifting of paragraphs occurred in addition to the stipulation that "initial appointments, without tenure, to the theological seminaries are subject to the prior consent of their electoral."[48] Among the changes occurring were the recognition of assistant professors and their potential eligibility for tenure. By a procedure satisfactory to the electors they may grant tenure to the candidate four weeks after his name has been published in the official publications of the synod."[49] Two years later, 6.54 d., 1962 Synodical Handbook and 6.54 e., 1965 edition of the same are deleted. It is significant that this should occur in view of the growing power of the local

Board of Control.

Ninteen hundred and sixty nine deserves special attention in connection with paragraph 6.54. A new title describes the evolutionary process, "Permanent Tenure." But not only did the title change. A four part division states the conditions for tenure and the authority of the Board of Control to grant tenure "to any member of the faculty, regardless of rank upon the recommendation of the president. . ."[50]

It is no surprise that presidents were emerging out of the great years of campus unrest and militancy and at the same time were more and more controlling tenure decisions. The reader should also note the change concerning probationary status for faculty that occurred in 1969. The Bylaw stated, "Seven years of creditable service shall be deemed sufficient satisfaction of all probationary requirements." Likewise a disclaimer was attached to the policy stating that "the granting of permanent tenure shall in no case be construed as requiring or indicating advancement in rank."[51]

Four years later we take note of the last significant change related to this section. The 1973 summer convention of the church amended the policy statement under two separate sections. 6.54 a., changed the time from four to six weeks for tenure clearance in the public press, and added the proviso that the "Board of Control shall give the faculty member the opportunity to respond to any negative comments prior to the Board's final action."[52]

Finally the probationary period was shortened from seven to five years by adopting revised section 6.54 b., 1973 (See Appendix K.). If there is any doubt that this ended the debate on tenure, the reader may access information on this issue from the Synodical Handbook, paragraph 6.54, 1977 edition. Although this reference lies outside the province of this dissertation, there is clear evidence of the continued state of flux related to faculty security and tenure.[53]

Rank and tenure are as much companion words today as are the title words War and Peace. Section 6.55 "Ranking of Members of Staff" had its day in court as well. However, no change was either necessary or noted until 1962. It is amazing, however, that Boards of Control in conjunction with the BHE, were the groups and individuals who determined the status and rank of faculty members spread all over the United States. Even salaries were fixed by the Fiscal Conference, an advisory delegation from all districts of the church who met annually to review and recommend fiscal matters to the church at large. The Fiscal Conference set the yearly budget for the church body.

Change occurred in three ways at the 1962 Cleveland convention. "Status" was changed to read "work assignment;" administrative officials became "administrative officers," and salary schedules became the prerogative of the BHE (from time to time) under the authority and review of the Board of

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Directors of the Synod, not the entire fiscal conference.[54]

The only other attention given to this section was in 1969. In association with the refinements and rewriting of sections 6.53, "Appointment of Members of the Faculty," and 6.54, "Permanent Tenure," the Denver convention approved a new Bylaw (6.55) in four parts, logically and systematically related to the above. Matters of finance disappeared from the policy per se. The accepted nomenclature for academe is written into the statement and voting restrictions for non-ranked personnel is described. The general pattern of American higher education became the pattern for the Missouri Synod schools by adoption in 1969.[55]

Another policy worth noting, in spite of the logic for its change, dealt with salary schedules. Only one element is truly significant, the concern for personnel engaged in the educational mission without regard for rank and professional status. The authority for fixing the salary schedules changed as well, but was not a significant issue (See Appendices A. and F., Paragraph 6.57).

To regularize the work of the faculty, policy stated in vague and general terms the requirement to meet "at intervals and as often as may be necessary."[56] Change was slow in this area. Nevertheless, it was inevitable. From a concern for meetings, with certain protocol, to the concern for meetings and faculty organization, we witness an evolutionary trend in 1962. For the first time a convention mandated standing committees who "shall study, evaluate, and report to the faculty on matters of academic and student life in the institution."[57] Three years later a major change appeared with considerable more interest in standardizing faculty organization. The priority of organization vs. meeting is in fact even part of the title change to accent this trend. The policy deserves attention. Paragraph 6.59 a., acknowledges the desirability to reorganize faculties according to a senate structure, but limiting by prescription the membership to the president, the faculty members with tenure, and those administrative officers whom the Board of Control may designate."[58] The late 60's and the conflicts between and among tenured and non-tenured and professional staff would eventually change this Bylaw.

Furthermore, section d., of 6.59, 1959 deserves attention. Where previously, in the absence of the president, a faculty would elect a chairman for their regular meetings, a sub-paragraph stipulated the following: "in the president's absence the designated acting president shall preside at regular and special meetings."[59] Emerging patterns of modern institutional organization and administration are signaled by the evolving of policy in this fashion.

The 60's saw the growth and emergence of highly trained professionals, who, though they did not enjoy the job security and the status of faculty, made and continue to make impact on the college and university campus through counseling services, student activities, new programs for residential and community living, administration and business services, et cetera. The participation of this group even in a church related environment for policy formulation and decision making is given legitimacy as late as 1969. At least non-faculty could enjoy membership on committees that channeled policy recommendations for approval (See 6.59 e., Appendix I., 1969).

The last change to be approved by a delegate convention under section 6.59 embraced the requirement for faculties to elect "standing hearing committee or assign the function of such a committee to another standing committee."[60] At a time of such major policy change regarding faculty, student rights, federal laws re: affirmative action, and equal opportunities, it was necessary to provide a mechanism to hear the concerns of anyone potentially accused of anything.

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The faculty had always been mandated to fix the scholarship standards. The evidence is the substance of section 6.61, 1947 Appendix A.

Ninteen hundred and fifty three continues the evolution of a broader concern for students and the role of the faculty related to students. Fixing scholarship standards changes to "Standards for students."[61] Three years later the parallel concern, a description of faculty power within limits, appears as a reorganized and redeveloped statement on "Institutional Educational Policies." The significance of the new paragraph in the judgment of the researcher is the significance of dividing between policy formulation, policy adoption, and policy execution. The traditional organizational pattern for the Missouri Synod campus was to formulate, adopt, and administer the policy of and by the faculty, for the Synod.

The separation of powers and authority seemed to be much clearer after the adoption of paragraph 6.61, 1956, Appendix D.

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Paragraph 6.61 was to encounter one last major revision. Again, in the so-called San Francisco, Higher Education Convention, policy matters related to faculty were placed under the microscope. An elaborate new division of section 6.61 appears. The changes most significant were the following. The first four divisions appear like a literary parallelism from Shakespeare.

> a. Each faculty shall adopt rules and regulations for the admission, transfer, dismissal, or withdrawal of students. . .
>
> b. Each faculty shall develop and construct curricula implementing the recognized and established purposes of the institution. . .
>
> c. Each faculty shall develop policies, standards, and programs for the out-of-class life and activity of its students . . .
>
> d. Each faculty shall develop policies, standards and regulations that will contribute to the maintenance of wholesome conditions of instructional staff service and welfare.[62]

Paragraph e., of 6.61 included an additional concern which had previously come under the heading of Placement Policies, introduced as a result of the legislative action

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of the 1953 convention. Paragraph 6.62 disappeared as a Bylaw in 1959. Its content, however, became 6.61 e., referred to above.

The significance of section 6.61, 1959 is related to the magnitude of the mandate to develop and adopt policies in every area of academic life except finance. The stability of this section of Bylaws deserves special attention. Documentation as late as 1977 reveals not a word of change by deletion or addition, an amazing discovery.

Bylaw 6.62 deserves a word only in reference to its initial inclusion in the Synodical Handbook. Placement procedures were under the jurisdiction of the faculty at the terminal degree granting institutions of Synod, whose recommendations were eventually acted upon by the Council of District Presidents. The uniquiness of the policy and placement procedures seem to lose some of their "specialness" when they became the last sub-paragraph of the previous Bylaw 6.61 e.

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The requirements for policy formulation by faculties, as spelled out in the Bylaws, included special reference to "Curricula, Standards, and Policies."[63] Somewhat tautological to 6.61, 1947, the evolutionary process was clearly visible later when the same section added the following: "upon approval by the respective Board of Control, they, (curricula) shall be submitted to the Board for Higher Education. After study and approval by this board, the curricula shall be put into operation."[64]

The 1959 convention also got its corporate hand on this Bylaw. The significance of the changes effected in 1959 is the significance of knowing the static condition of the policy until the present. The substance of the changes in 1959 included the following:

> 1. faculty approval was subordinate to Board of Control approval (6.63a.)
>
> 2. after approval, these regulations, standards, criteria, policies, programs, and curricula shall be administered and applied by the administrative officers of the institution. (6.63 b.)

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> 3. the Board for Higher Education shall periodically review the . . . policies . . . to determine whether they are consistent with the stated objectives of Synod's educational system and its institutions. (6.63 c.)[65]

The researcher observes that this Handbook Bylaw, more than any other studied, seemed to confuse the issues of policy formation, and the substance of the entire sub-paragraph b. (which has nothing at all to say about policy formation). Sub-paragraph b., deals specifically with policy execution. Policy formulation must not become confused with the execution of policy by the proper administrator(s) of program (s), protected by the policy appropriate to the program. It may be that because this Bylaw is confused and somewhat anbiguous, the synodical schools have from time to time suffered the unfortunate pressure of policy setting boards wanting to be far more administrative and executive than is advisable or proper.

The tradition of higher education which embraced the concept of "in loco parentis" grew

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out of the basic belief that the institution should assume the role of parent for students who were away from home. Since many of the synodical colleges were sharing campus facilities with high school and/or academy students, it was natural to expect these parietal concepts to carry over into college life. An unnatural kind of evolution occurred in the Handbook over a twenty five year period. In 1947, paragraph 6.65 described the policy applicable to students entitled, "Rules for Extra-curricular Activities."[66] By 1971 the same paragraph was under the heading, "Evangelical Discipline and the Right of Appeal."[67] The reader will take note of the greater care in writing and the better organization in the policy statement of 1971.

The year 1959 was pivotal for change from a rules for activities to the discipline and appeals concept of policy related to student life, (See Appendix E., Paragraph 6.65, 1959).

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In 1962 greater care and better organization of the policy occurred. The separate roles and functions of faculty and Board of Control members were spelled out point by point, (See 6.65, 1959). Parents identified specifically in section c., "shall be informed regarding the disciplinary policy and procedure and under what conditions and to whom an appeal from a disciplinary decision may be made. . ."[68]

Lines of appeal were also made explicit. The only change of substance after 1962 appeared in the c. section of 1971, adding the provisions of Section 5.01 ff.[69] Students of higher education should compare regulatory practices as recent as the early to mid-sixties, with the most recent amendments to "The Family Educational Rights and Privacy Act of 1974." An example of local institutional application of the national policy can be studied in the Concordia Teachers College, "Administrative Policy and Procedures Manual," under section 1.07.150 - STUDENT FAMILY PRIVACY ACT PROCEDURES.[70]

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Faculty members of Synodical institutions historically came from backgrounds including parish services either as pastors or teachers. It was so important to have practical experiences that the Bylaws of the Synod included a provision to require those who had not met this professional obligation to do so, gaining "such experience by assistant pastorates, summer field work, vacation Bible school, et cetera . . . ."[71] In 1967 this policy was deleted from the Handbook.

Beginning with the title "Grants in Aid," section 6.69 early in the 50's was retitled "Grants for Advanced Study."[72] The only significance attached to this section is in the change which called for helping those faculty who were asked to do additional academic work "beyond the control of the instructor involved . . . for reasons made mandatory by changes in local circumstances and by outside forces such as requirements for achieving accreditation, requirements of maintaining accreditation. . ."[73]

Provisions for a Leave of Absence after

ten years, originally conceived as time for the pursuit of advanced degrees, planned and/or special studies, broaden into a standard pattern for sabbatical leaves and other leaves of absence. Jurisdiction for the decisions related to faculty sabbaticals and leaves rests with the Board of Control with approval of the BHE, (See 6.71a., b., 1956, Appendix D.). Standard practice changed over time, and in 1971, Synod adopted the popular higher education standard of sabbatical leaves after every seven years at a synodical institution, (See 6.71, 1973, Appendix K.).

The reader is advised to be cautious and careful in working his way through the numbering system for sections 6.73, and 6.75. The original statement of 1947 concerns "Controversies Among Faculty Members." The Handbook departs from the substance of this policy in 1962. The trade-off involved a policy statement in two parts concerning "Exchanges and Transfers." (See 6.73 a., and b., 1962, Appendix F.). Whatever the reason or purpose, it was served well by exclusion in 1969. Its content was parochial, its life short lived.

Sections 6.73 and 6.75, originally intended to serve parallel purposes, but identifying two different constituencies, finally blended into a single policy regarding controversies among faculty members in 1962. Prior to that change, separate but equal statements pertained to "Controversies among Faculty Member," (6.73) and "Controversies Between Presidents and Faculty," (6.75). Nine years elapsed before the policy statement was amended. The relevant section had much to do with the finality of decision making at the time of controversy and disagreement (cf. 6.75, 1962, Appendix F.), and the "lack of any right of appeal under the provisions of Section 5.01ff.[74]

When the reader first encounters paragraph 6.77, "Tenure of Office," (1947) a positive response follows. However, the substance

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of the policy is essentially negative. The Bylaw sets forth nine reasons for which tenure may be terminated. Fifteen years later the title of the policy is changed appropriately to "Termination of Tenure;" in addition, an ambiguous prologue is deleted making the statement clear, simple, and concise, (cf., 6.77, 1947, Appendix A., with 6.77, 1962, Appendix F.).

The evolution continues. 6.77, 1973 now appeared in three sections and was captioned "Removal from Office." Each change seemed to improve the semantics of "action and meaning." A clean and clear statement forthwith emerged, comprehensive in nature and substantive in purpose (See 6.77, 1973, Appendix K.). The Board of Control was the agent of Synod in the execution of this policy.

At the same time a revised statement on removal from office appears, a new Bylaw calls for the:

> Board of Control to have the sole prerogative, subject only to the action of the convention,

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> to investigate through procedures hereinafter set forth charges of professional incompetency etc. . . the president of the institution shall normally present the charges. Through procedures hereinafter set forth, the Board of Control shall also have the responsibility to investigate charges of false doctrine or conduct unbecoming a Christian.[75]

It would appear that one line of defense for the faculty member is removed by giving the Board of Control the authority to investigate a negative situation.

Nearing the end of the section of policies dealing with faculty, does not mean nearing the end of change. Service beyond retirement was safeguarded by policy to the age of 70 (See 6.79, 1947, Appendix A.).

The 1959 convention effected a five part policy statement essentially revising retirement and modified service to the following conditions:

> a. prescriptions on presidents to retire at age 67;
>
> b. other administrative officer of the institution shall not be reappointed after the age of 65;

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> c. former presidents shall hold the rank of professor;
>
> d. faculty retire at 65, and shall be transferred to modified service or retired at the age of 72;
>
> e. service loads after 65 shall be determined by the Board of Control in consultation with the BHE.[76]

Three years later the legislative body of the church adopted additional changes including:

> provisions for presidents of synodical institutions to be retired with honor at the end of the school year in which he attains the age of 60, or after years(15) of service as president at the same school.[77]

The age of 67 was also lowered to 65. Ironically the same convention extended the years for retirement of faculty from 72 to 75.[78]

At the biennial convention of the church in 1969, 1971, and 1973, voting delegates continued to write changes into the policy regarding modified service and retirement. An expanded seven point statement in 1969 incorporated the following four significant adaptations:

> a. retirement is at the initiative of the Board of Control for the president; or the president may himself, initiate the request;

b. retiring presidents shall ordinarily no longer be actively associated with the school he has served;

c. retiring presidents may serve under the jurisdiction of the Board for Higher Education;

d. housing-compensation benefits are detailed by policy statement. [79]

In 1971 an additional section h. appears with specific reference for the first time in the Synodical Handbook to the length of the term of office of the Brazil District synodical school presidents.

The last change to be noted for section 6.79 has nothing al all to do with the previous concepts of retirement or modified service. The 1973 convention of Synod altered significantly all Bylaws from 6.79 to 6.83. They merit study and comment as a unit. The force of the changes occurring at this time is the considerable augmenting of power appropriated to the Board of Control and the office of the District President. The "Procedures for Exercising Board Supervision, 6.79 of certainty became the most significant statement of policy in the entire study of 31 years of policy change in the LCMS. Surely placed side-by-side with paragraph 6.80, Ecclesiastical Supervision, and in series with paragraph 6.81, Appeals, the reader and the researcher is confronted with the significance of change. Earlier sections, written into the "canon" of Bylaws, 6,81, and 6.83 blend into the revision which takes place at the time of the New Orleans convention in 1973. A brief synopsis will bring this section to completion. Although the "due process" section (6.79) is elaborate in its detail, it will not serve the purpose of the dissertation to discuss it in depth. Pertinent observations include the following:

a. any complainant must file charges in writing;

b. levels of complaint must be followed;

c. matters of a theological nature are submitted to a commission for an advisory theological opinion

d. the faculty hearings committee is to be involved when formal charges are placed against a faculty member; a detail of protocol and procedure is elaborated upon.[80]

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The sections entitled Ecclesiastical Supervision (6.80) and Appeals, (6.81) underscore the need to provide careful policies that describe the status of faculty and their recourse to appeal the decision of those placed over them with ecclesiastical authority. They grew out of a turbulent period in the history of higher education in the LCMS, a time of staff cut backs and faculty investigations.

The final Handbook policy to deal directly with faculty and staff, 6.83 "Refusal to Cooperate, Willful Neglect, Unbecoming Conduct, False Doctrine," remained static for nearly fifteen years. Only a subtle change occurs at the time of the San Francisco convention in 1959. "If the electors shall find such persons guilty of the offenses complained of, he shall be suspended or removed"(See 6.83, 1947, Appendix A.). In 1959 the last words were changed to read, "shall be relieved of his office."[81] (See 6.83, 1959, Appendix E.) The latter was far more serious especially in the case of an ordained clergyman.

The next phase in the evolutionary process occurred three years later when the BHE replaced the electors as the responsible group involved in making recommendations to the District President. (See 6.83, 1962, Appendix F.). In 1969 the policy included the addition of the wording, "that in the event of a suspension the case shall be submitted to the synodical Board of Appeals."[82] In 1971, the last line was changed to read synodical "Commission of Adjudication." (See 6.83, 1971, Appendix J.).

D. THE PRESIDENT OF THE INSTITUTION

The study of policy change in higher education has dealt with three constitutent groups, each powerful in its own right, the Board for Higher Education, the Board of Control, and the faculty. Because of the special significance of the role of the college and/or seminary president in the LCMS, two special sections of policy need to be explicated. The fourth major division of policy is organized in two separate paragraphs under the heading

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"The President of the Institution." The significant policy statement regarding the event of a presidential vacancy has not changed its wording in 31 years. Only its title changed from "vacancy", (6.93, 1947), to "Acting President."[83]

The major section of policy (6.91) under title of"Authority and Duties" also shows an amazang stability during the years of study appropriate to this dissertation. The preface to the multi-partitioned comprehensive policy regarding the president remained the same for thirty-one years and reads as follows:

> The President of each of Synod's institutions shall be the spiritual, academic, and administrative head thereof and shall be the executive officer of the Board of Control. Synod, its boards, and its members shall first of all hold him responsible in all matters pertaining to the institution. In the exercise of his office he shall be charged with duties and vested with authority as follows . . . [84]

Twelve sub-paragraphs detail the authority and duties of the president. A summary of these will aid the reader in understanding the significance of changes that occurred from 1944-1975. The researcher will incorporate the changes as he evaluates the significance of the policy in its separate parts.

a. The president represents the institution in its relations to Synod and its officers and boards;

b. administers the affairs of the institution;

c. is the executive officer of the Board of Control;

d. is the academic head of the faculty and presides at its meetings; (1956 added to his duties the responsibilities of "ex officio member of the standing committees of the faculty," cf., 6.91 d., 1956, Appendix D.);

e. shall supervise the classroom instruction;

f. is to be counselor and friend to faculty; should there be necessity to report matters of a personal nature to the Board, he shall do so with "his recommendation for action," (cf. 6.91 f., 1962, Appendix F.);

g. may seek the assistance of faculty members to perform the functions of his office delegated by consent of the Board of Control. (This sub-paragraph was augmented in 1962 to read, "Standing administrative assignments shall be made by the Board of Control on his recommendation," (cf. 6.91, g., 1962, Appendix F.);

h. he shall be the head of the Department of religion and, if possible, give the principle courses in the same; and he shall be the pastoral and spiritual adviser of the students, unless otherwise provided by the rules and regulations of Synod;

i. care for the spiritual welfare of the students;

j. be responsible for the employment, direction, and supervision of all employees of the institution;

k. last in order and to be added by the 1959 convention is the president's responsibility for the proper operation and maintenance of grounds, buildings, and equipment. He shall make periodic and special financial reports to the Board of Control, (cf. 6.91 k., 1959, Appendix E.).

Comprehensively written in the early forties, these policies still hold as higher education approaches the 1980's. The college and/or seminary president is still one of "the" most powerful persons politically in the synodical hierarchy.

E. ELECTIONS

The fifth major division of higher education policy is entitled Elections. Fifteen sections with sub-paragraphs were studied. The reader will notice the relatively small percent of change over the period of thirty-one years. So infrequent, in fact, were the changes that the average per item for the fifteen separate but related policies is slightly less than two. Three changed at least three times, and three showed an absolute static condition.

Synod historically operated with a rigid, highly secret, and hierarchical ecclesiastical system of elections to office. Professors, Associate professors, and the required administrative officers for all positions officially created by the Synod were the special objects of these elections. Who were the electors?

1. The Board of Control as a group - one corporate vote;
2. The President of the synodical district in which the institution is located or his official representative;
3. The President of Synod or his official representative;
4. The Chairman of the Board for Higher Education or his official representative;
5. The president of the institution shall be present in an advisory capacity.[85]

The reader will discover with little effort and no confusion that fact that the electors have not changed since the Bylaws were first codified according to the present format. Many shifts, however, did occur in prioritizing policies related to Elections. The first change to section 6.101 is specifically related to Synod's educational institutions in South America, substituting the Chairman of the Board for World Missions as an elector in place of the Chairman of the Board for Higher Education, (See 6.101, 1959, Appendix E.).

In 1962 a major revision occurred in more than 50 percent of the items related to elections. Paragraph 6.101 described the "Call for Nomination." The thrust of the change gave the authority to the Board of Control to issue the call for the nomination of candidates whenever a professorship or associate professorship was to be filled. Approval for filling vacancies had to be first obtained from the BHE.

The third stage of policy evolution specifically related to 6.101 appeared in the 1969 Handbook. Although the title is unchanged the purpose for the policy has now only to do with the " call for nomination of candidates for the presidency of the institution."[86]

At first reading the election section of policy appears quite clear and simple to understand. But as the researcher progressed through the policies it became clearer and clearer how confusing it must appear to the unstudied and uninformed.

Paragraph 6.103, 1947 Handbook, dealt with presidential recommendations to the Board of Control in the light of instructional staff needs. The same section in 1962 specifies who may nominate candidates, still referring to faculty members at the upper ranks, sort of a fraternity which excluded the probationary teachers at the instructor and Assistant Professor levels.

In 1969, paragraph 6.103 omits the wording "for such position," repeats exactly the same policy wording for the nomination of faculty members, but now applies it specifically

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and exclusively to the office of the president. Any carelessness on the part of research would ignore the real issue evolving from this sort of policy playing and shifting, (See 6.103, 1969, Appendix I.).

Section 6.105 was the original policy statement related to the analytical functions of the faculty in the process of recommending a presidential candidate. By 1962 its concerns were expressed under title "Status and Parish Experience of Candidates," (cf., 6.105, 1962, Appendix F.).

The same section showed change once more in 1966. The significance of change was a concern for qualifications equal to those graduated from a synodical institution. Only in sub-paragraph a., did change occur,(See 6.105 a, 1965, Appendix G., and compare with 6.53 f., 1966). In 1969, 6.105 is deleted from any further publication in the Synodical Handbook.

Paragraph 6.107 had at least two foci. Originally the Bylaw was concerned with nominations for vacancies in professorships and administrative positions, (cf., 6.107, 1947 Appendix A.). Change occurred in 1962 under the title of "Publication of Names of Nominees," the same data as 6.113, 1960, Appendix E. The only substantive change occurring thereafter was adopted by the convention in 1969. As a result of paragraph 6.107 the publication of names of nominees (limited to the office of President) were to be filed with the secretary of the Board of Control within 90 days of its published request. The previous time limit had been thirty days. In addition Bylaw 6.107, 1969, doubled the time from three to six weeks after the date of the publication of names of the nominees when the election shall be held.

Who may nominate candidates, 6.109, 1947 is replaced in 1962 by the section on Recommendation or Objections. By 1969, referring again to presidential candidates, this section is edited only for better description. The change is non-substantive, (See 6.109, 1969, Appendix I.).

Paragraph 6.111 clarified the need for professional experience for faculty members and likewise described alternatives for the lack of it. The single paragraph policy statement was divided into two parts in 1959. The significance of the new section is best illustrated by the wording itself:

> Candidates for teaching and administrative positions as associate professors and professors on Synod's instructional staffs shall be graduates of a synodical theological seminary or teachers college or have achieved the status of Lutheran pastor teacher by colloquy or have acquired similar status in a church body in fellowship with Synod.[87]

1962 placed the emphasis of presidential recommendation on this Bylaw. The substance of the change is nil, a substitution of 6.103, 1947 for Status and Parish Experience of Candidates. In 1969, section 6.111 is deleted from the Handbook.

Paragraph 6.113 originally delineated

protocol for publishing the names of persons who were nominated for offices, academic or administrative. In the logic of reorganizing this major section in 1962, 6.113 becomes the policy statement which details the role of the faculty committee in the election of a president, (See 6.113, 1962, Appendix F.).

Three biennia later this policy undergoes its last formal change to date. For years the role of the committee was significant. Members elected by their peers became a sequestered search and screen committee. Their activities were enriched by the information made available to them by the secretary of the Board of Control. The committee was charged to "make pertinent recommendations to the electors with regard to the choice of a suitable person from a list of candidates which they propose for the elector's consideration."[88]

Faculty power was a growing issue of major significance; why? Because Bylaw 6.113, for better or for worse (and the researcher

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judges for better), gave the faculty considerable power in the selection of a president. This Bylaw came under careful study after 1969 and has been an issue of considerable irritation among faculty and boards since the early 1970's.

Section 6.115 originally concerned with recommendations or objections regarding the appointment of faculty (cf., 6.115, 1947, Appendix A.), shifts its content to the description of Electors for calls, first related to faculty, second to the office of the president (cf., 6.115, 1962, 1969; Appendices F., and I.).

The last Bylaw to be described as evolutionary in nature is 6.117. Its content is the election itself. In 1953 most of the previous Bylaws are repeated, but added is a statement of regard for the welfare of other institutions and agencies of Synod,(cf., 6.117, 1953, Appendix C.). More than a dozen years secure this policy from change. However, 1969 brings the researcher into a face to face reality with a very significant change. The so called

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faculty committee "veto" power for the selection of a president was lost. The electors were granted extraordinary powers. For example, "there shall be elected from the list of candidates proposed by the faculty committee or as amended by it after mutual consent with the electors."[89]

Four years later the hardest blow was struck. In paragraph 6.117, change was inevitable in view of the block voting and the political influences at work in the 1973 convention of the LCMS in New Orleans. Faculties became impotent. Board and commissions and electors were hand in glove. Focus for the reader is drawn to the wording of 6.177 in part.

> The elector shall give due consideration to the recommendations and statements of qualifications and objections submitted to behalf of all nominees. A majority of the electors, with the members of the Board of Control voting as individuals may add to the list supplied by the faculty committee, after consultation with the faculty committee.[90]

It is important to note the difference between "consult" with them and "agree" with them. Faculty had lost an important power, the muscle to preserve its own judgment for leadership. The data to illustrate the significance of this finding is the work of other scholars who will measure the effects of 1973 changes to paragraph 6.117. The fact of the matter is that subsequent to the second stage of evolution in 1969, every college and seminary president changed either by retirement or resignation except the Junior College (and Academy) in Portland, Oregon, in less than a decade. (See The Lutheran Annual, 1969 - 1975; Educational Institutions of Synod - Faculties and Staff.).

Not since section 6.09, "The Duties of Advisory Committee," (BHE, Section A.) has the researcher isolated a policy statement static for the entire thirty-one years of history germaine to this study. Paragraphs 6.119, 6.121, 6.123 join the select four which illustrate no change. In relation to Elections these Bylaws simply state the concern for publication of the election, the protocol for extending a call, and the procedure if a call is declined.

The last three Handbook policies reflect minor change of little significance. For example, 6.125 regarding the authority to create and abolish professorships etc, shifts the general responsibility from Synod to the BHE. This is a hand in glove shift. Nevertheless, it meant greater power for the BHE.

Paragraph 6.127, the last of the original policies in the new format concerning the appointment to positions not requiring a call, stable for 22 years, is deleted in 1969 since it was redundant.

Paragraph 6.129, born of need in 1965, was deleted by convention action in 1969. This policy called for members of Synod to submit to the BHE the names of possible candidates for teaching positions in synodical schools,(See 6.129, Appendix G., 1965).

The saga of policy change from 1944-1975 is ended. Although this narrative may seem irrelevant to the casual reader, its significance to the student of higher education administration is inestimable. A small bit of its value is the substance and the content of chapter five, the conclusion to this study, the springboard for continued research in this fascinating and important area of higher education.

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END NOTES FOR CHAPTER IV

[1] Harold L. Hodgkinson, "Who Decides Who Decides," Agony and Promise ed. G. Kerry Smith(San Francisco: Jossey-Bass Inc., 1969), p. 139.

[2] The Board for Higher Education; subsequent references shall use the acronym BHE.

[3] cf. Appendix A. Paragraph 6.01, 1947.

[4] cf. Appendices A. and G., Paragraph 6.01.

[5] cf. Appendix G. Paragraph 6.01, 1966.

[6] See Appendix K, Paragraphs 6.53, 6.54, 6.59, 6.71, 6.77, 6.78, 6.80, 6.81, 6.82, 6.83.

[7] cf. Appendix F. Paragraph 6.03, 1963.

[8] cf. Appendix G. Paragraph 6.03, 1966.

[9] cf. Appendix B. Paragraph 6.07, 1951.

[10] cf. Appendix C. Paragraph 6.07 c., 1953.

[11] cf. Appendix C. Paragraph 6.07 m., n., 1953.

[12] cf. Appendix D. Paragraph 6.07 n., 1956.

[13] cf. Appendix D. Paragraph 6.07 c., 1956.

[14] cf. Appendix I. Paragraph 6.05 p., 1969.

[15] cf. Appendix C. Paragraph 6.21 a., b., c., 1953.

[16] cf. Appendix E. Paragraph 6.21, 1959.

[17] cf. Appendix E. Paragraph 6.23 b., 1959.

[18] cf. Appendix K. Paragraph 6.23 a., 2., 1973.

[19] cf. Appendix A. Paragraph 6.25, 1947.

[20] cf. Appendix I. Paragraph 6.26, 1969.

[21] cf. Appendix H. Paragraph 6.25, f., 1967.

[22] cf. Appendix F. Paragraph 6.27 c., 1962.

[23] cf. Appendix F. Paragraph 6.27 d., 1962.

[24] cf. Appendix I. Paragraph 6.27 a., b., 1969.

[25] cf. Appendix E. Paragraph 6.31, 1959.

[26] cf. Appendix B. Paragraph 6.37 a., 1950.

[27] cf. Appendix I. Paragraph 6.37 f., 1969.

[28] cf. Appendix I. Paragraph 6.39 h., 1969.

[29] cf. Appendix B. Paragraph 6.51 a., 1950.

[30] cf. Appendix B. Paragraph 6.51 c., 1950.

[31] Ibid., Synodical Handbook, 1950.

[32] cf. Appendix C. Paragraph 6.51 b., 1953.

[33] cf. Appendix D. Paragraph 6.51 a., 1956.

[34] cf. Appendix D. Paragraph 6.51 d., e., 1956.

[35] cf. Appendix G. Paragraph 6.51 a., b., 1956.

[36] cf. Appendix A. Paragraph 6.53, 1947.

[37] cf. Appendix B. Paragraph 6.53, 1950.

[38] cf. Appendix D. Paragraph 6.53, 1956.

[39] cf. Appendix F. Paragraph 6.53 g., h., 1962.

[40] cf. Appendix G. Paragraph 6.53 c., 1965.

[41] cf. Appendix G. Paragraph 6.54 d., 1965.

[42] A new category of literature appeared following the top religious news story of the year, namely the Exile of Concordia Seminary, Saint Louis, Missouri, in the fall of 1973. The history of the breakaway faculty and seminary will be written about for generations. Significant among the naterials already in print are the following books placing the events and people into the record of modern church history. They are commended to any scholar for proper study and evaluation. The most significant work to be authored by a professional newspaper journalist and by one outside the Lutheran tradition is: James E. Adams, Preus of Missouri. (New York: Harper & Row, Publishers), 1977. The most significant work representing the spirit of the exiled faculty is from the pen of Frederick W. Danker, No Room in the Brotherhood. (Clayton Publishing House, Inc., Saint Louis), 1977. Two other treatises are worth referencing. An Australian theologian, trained at the seminary prior to its exile and at the time of his writing a professor at the Fort Wayne Seminary of the LCMS, looks at the trouble in the church as part of the "inside" of that church. Kurt E. Marquart, Anatomy of an Explosion. (Fort Wayne: Concordia Theological

Seminary Press), 1977. Last, but not least, the reader must study the report of the Seminary Board of Control, Exodus From Concordia. (Concordia Seminary Publicity Office: Saint Louis), 1977. The latter is an attempt to be definitive about the issues from the perspective of the Board of Control.

[43] cf. Appendix K. Paragraph 6.53 c., 1973.

[44] cf. Appendix C. Paragraph 6.54, 1953.

[45] cf. Appendix C. Paragraph 6.54 b., 1953.

[46] cf. Appendix D. Paragraph 6.54 c., 1956.

[47] cf. Appendix F. Paragraph 6.54 d., 1962.

[48] cf. Appendix F. Paragraph 6.54 d., 1962

[49] Ibid., Synodical Handbook, 1962.

[50] cf. Appendix I. Paragraph 6.54 a., 1969.

[51] cf. Appendix I. Paragraph 6.54 d., 1969.

[52] cf. Appendix K. Paragraph 6.54 a., 1973.

[53] Handbook of The Lutheran Church-Missouri Synod, 1977 Edition.

[54] cf. Appendix F. Paragraph 6.55, 1962.

[55] cf. Appendix I. Paragraph 6.55 a., b., c., d., 1969.

[56] cf. Appendix A. Paragraph 6.59, 1947.

[57] cf. Appendix D. Paragraph 6.59 b., 1956.

[58] cf. Appendix E. Paragraph 6.59 a., 1959.

[59] cf. Appendix E. Paragraph 6.59 d., 1959.

[60] cf. Appendix K. Paragraph 6.59 f., 1973.

[61] cf. Appendix C. Paragraph 6.61, 1953.

[62] cf. Appendix E. Paragraph 6.61, 1959.

[63] cf. Appendix A. Paragraph 6.63, 1947.

[64] cf. Appendix B. Paragraph 6.63, 1950.

[65] cf. Appendix E. Paragraph 6.63 a., b., c., 1959.

[66] cf. Appendix A. Paragraph 6.65, 1947.

[67] cf. Appendix J. Paragraph 6.65, 1971.

[68] cf. Appendix E. Paragraph 6.65, 1959.

[69] Section 5.01 is the initial policy statement in Division V. of the Synodical Handbook. Its content is Adjudication and Appeal; Basic Principles; General Purposes and Objectives.

[70] The Family Educational Rights and Privacy Act of 1974 as Amended on January 27, 1977, is a federal law which governs the student's rights of privacy even to the extent of limiting the information concerning living area on a private residential campus, listing of names in the college directory, notifying parents of behavioral problems et cetera.

[71] cf. Appendix A. Paragraph 6.67, 1947.

[72] cf. Appendix C. Paragraph 6.69, 1953.

[73] Ibid., Synodical Handbook, 1953.

[74] cf. Appendix J. Paragraph 6.75, 1971.

[75] cf. Appendix K. Paragraph 6.78, 1973.

[76] cf. Appendix E. Paragraph 6.79 a., b., c., d., e., 1959.

[77] cf. Appendix F. Paragraph 6.79 a., 1962.

[78] Ibid., Synodical Handbook, 1962.

[79] cf. Appendix I. Paragraph 6.79 a., b., c., d., e., f., g., 1969.

[80] cf. Appendix K. Paragraph 6.79 a., b., c., d., e., f., g., h., i., j., k., l., m., 1973.

[81] cf. Appendix E. Paragraph 6.83, 1959.

[82] cf. Appendix I. Paragraph 6.83, 1969.

[83] cf. Appendix E. Paragraph 6.93, 1959.

[84] cf. Appendix A. Paragraph 6.91, 1947.

[85] cf. Appendix A. Paragraph 6.101, 1947.

[86] cf. Appendix I. Paragraph 6.101, 1969.

[87] cf. Appendix E. Paragraph 6.111 a., 1959.

[88] cf. Appendix I. Paragraph 6.113, 1969.

[89] cf. Appendix I.Paragraph. 6.117, 1969.

[90] cf. Appendix K. Paragraph 6.117, 1973.

CHAPTER V

SUMMARY, CONCLUSIONS, AND RECOMMENDATIONS

The burden of this research project has been to examine the significance of policy evolution in programs of higher education in the LCMS and its relationship to internal and external governance. The research included an examination of selected constituencies related to the governance of institutions of higher education.

It is, therefore, important to note what selected scholars have said about the role and scope and purposes of higher education, and with this backdrop, then, to summarize and conclude this study.

Any attempt to study the issues of institutional governance must of necessity ask the question, what is the university, what is the educational environment in higher education?

Daniel Bell said it well:

> It is startling to realize that we have not had any adequate definition of a University. The university is likened to an extended family, a secular church, a corporation, a community, or it is simply described as a microcosm of the society. And the multiplication of its functions leads to increasing ambiguity and amorphousness about the nature of the beast - one of the central reasons for the failure to define adequate governance.[1]

Father Theodore M. Hesburgh, president of Notre Dame, sums up in relevant terms the issues of the modern university and its attitude toward contemporary realities when he says:

> If there is to be any hope for the modern university it is in the re-creation of a sense of community within, comprising a strong and organized unity of all the component parts, particularily faculty, ad, ministration, and students, and hopefully trustees and alumi as well, who are external to the university but internal to its ultimate success.[2]

Bell and Hesburgh do not represent all or even most of the current thinkers in higher education. However, they serve well to substantiate the fact indeed that there are pressing and urgent conditions of global chaos that call for the university to assist in global solutions to the crises of civilization today. It is possible to argue that if the campus is a microcosm of the world, and the world is unstable, therefore, the university is unstable. If we accept the premise, the conclusion simply demonstrates the greater challenges universities have in facing the management tasks of resolving conflicts in governance to meet the problems society has ordained the university to solve.

Alfred North Whitehead, on the occasion of Harvard's tricentennial said, "The careful shielding of a university from the activities of the world around is the best way to chill interest and to defeat progress. Celibacy does not suit a university. It must mate with action."[3]

Another example will serve to illustrate how complex is the task of managing the diverse talents and ideals of each member-group of the institution. John Riedt in his Marquette University Lectures, "The University in Process,"

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quotes Eric Ashby, Master of Clare College, Cambridge as saying, "In any healthy institution, innovation and enthusiasm outrun resources and so there arises a succession of conflicts."[4]

Typical of the examples cited above are the hybrid professional ideas and ideals of many top administrators in higher education. In most cases top management personnel are highly competent scholars in their own rights who have been shifted from the classroom into the executive offices because of innovative and enthusiastic ideas for new directions in higher education. With that kind of high-test-octane-fuel in the drivers of the machinery, no doubt there will be fenders bent, and blown out tires, and sometimes a complete transmission failure. But the point is, because of the unusually talented and dedicated administrators, there is reason to believe they can repair their damages with expertise even though the repairs may involve considerable conflict of resolution before a final decision is made.

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Newman once said it so well, "The university is so many things to so many different people that it must of necessity, be partially at war with itself."[5] Newman's observation is certainly true today between trustees and administrators, among administrators themselves, certainly in the relations of administrators and faculty, and it would seem eternally so between students and any, or at times, all of the other constituencies. The complexities of higher education in the campus setting will naturally determine and predestine many of the problems created by various constituencies within. However, care must be taken not to exaggerate the problems because of the organizational structure, but to place the appropriate emphasis on the nature of the task, or the institutional objectives for which a pattern of institutional governance is designed and implemented.

For example, it may be much simpler to evaluate systems of organizational governance in business and in industry because of certain

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characteristics common to both, characteristics which find limited parallels to the college or university.

David Fellman observed that "one of the few generalizations that one can safely make about the American system of higher education is that it is not a system at all. Variety, not uniformity, is its characteristic."[6] Hence to ask the question of who decided what in the community of higher education is really to ask a second question, (which has become a cliche in higher education), who decides who decides? If research could discover the best answer to that question, the task of this researcher would be completed.

Experts and scholars in higher education administration seem concerned that institutions want to 'ape' one another, and that this initation syndrome will seriously impact the uniqueness and the importance of institutional differences. Some years ago, W. Allen Wallis, President of the University of Rochester wrote,

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"One of the most serious dangers to our system of higher education is that uniformity and homogeniety may very well result if the external pressures exerted upon our institutions are not countered by the firmness of their own individual characters."[7]

Julius Stratton, chairman of the Board of Trustees of the Ford Foundation, on the occasion of the installation of Frederick Seitz, as president of Rockefeller University, said in an address entitled, "The Importance of Being Different," the following:

> We find ourselves at a moment of history when every value that men have cherished appears open to challenge; when every fortress of conviction seems to be crumbling; when the traditional codes of conduct and moral accountability have begun to blur . . . We cannot remain aloof . . . as a nation we have created the greatest wealth and established the highest standards of living in all the world. . . As never before in history we are masters of our own destiny yet utterly confused about where that destiny lies; . . . How shall we design and plan and manage the institutions of a true democracy such that all are served, yet such that no individual feels lost and submerged in a sea of anonymity? My plea for the nourishment of quality carries with it an equally fervent belief in the

> importance of being different, a belief that we must protect and encourage the individual and the special . . . Yet I look at the American scene today, and the number of institutions that are set apart from others by their own style and by their own objectives seems to me far too few.[8]

Inspite of the prevaling model of governance on any campus, or the attempt by institutions to be unique and different, it is finally the task and responsibility of leadership to make the institution go. Perhaps that seems like an oversimplification. It is not. There is simply no paper paradigm, model program, or theory that runs an institution. Apparently there is no single ideal form or structure of governance applicable to institutions of higher learning. Certainly there is no single style of leadership promising universal acceptance and success. It is in the person or persons of leadership that the mandate of the institution takes on life. Ultimately power and authority must be invested in people.

Who should have the power? That is the

key question of leadership. Rodney Harnet says, "No one really holds the power or even a portion of it; power is situation dependent."[9]

Earl McGrath asserts:

> All should have the power; trustees, administration, faculty members, and students. All of them commit some part of their lives to the institution in which they become involved. Under the conception of a social contract they have an inalienable right to a voice in determining the policies which govern it.[10]

Clark Kerr put it in these words:

> For every educational giant there is an educational giant killer. Perhaps the most vital question . . . will be asked . . . if every group is simply a competing faction, from SDS to the regents and they all disagree over who should have the power to decide what, the real question is 'Who decides who decides.'[11]

The question of leadership is really the question of power over whom by whom. Getting into the act of leadership are trustees, administrators, faculties, students, support staff personnel, alumni, legislators, (state and federal), and the courts all vying inside the same ring. We have come a long way from the model of presidential dominance to the

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concept of shared authority. It is appropriate to note Robert Silverman who contends that "power, not authority, inheres in an office."[12] And so to create a balance of powers where all constituencies have strengths, there should be promise or at least a guarantee of achieving shared authority.

Morris Keeton suggests that "governance and management based upon the consent of diverse constituencies call for leaders who can envisage a gain of effectiveness by way of the dispersion of authority and power."[13] To accept the legitimacy of shared authority is to consent to the redistribution of powers and in that process attempt to strengthen leadership for decentralized governance. Institutions of higher education are too complex to run themselves and they should not be run to meet the whim of faculty or students. Internal authority must be redefined. Corson contends that "this process of redefinition, initiated in many institutions during recent years, promises to reduce tension if it succeeds in bringing about an open-minded reapraisal of the role of each group."[14]

On the other side of the ledger, experts are saying that it is essential that boards reclaim their authority over the whole functioning of the institution. Some claim there is a prospect for increased tension between faculties and boards, "with administrators caught hopelessly in the middle."[15]

In the same breath some contend only faculty and academic leadership are in a position to take account of the long range interests of the institution and students are too transient for effective decision making on the long run. Mayhew holds that "faculties should be delegated almost irrevocable power over those parts of an institution for which their collective wisdom and expertise are most germane."[16]

Paul Dressel observes that in the setting of higher education:

> faith in people has been replaced by faith in rules, codes, and procedures. Respect and cooperation is replaced by distrust and confrontation. Shared authority in the collegial sense, once the goal of most factions on the campus, is gradually being replaced by a sharing of authority based on confrontation and threats of nonperformance of duties until satisfaction is achieved.[17]

McGee says:

> Like workers and management in industry, the interest of all parties in the system are neither entirely coincidental nor mutually exclusive, and each is necessary to the other. The genius of successful college administration lies in the adjudication of conflict about divergent interest and the promotion of mutual cooperation in pursuit of shared goals.[18]

There is a major struggle indigenous to the governance of higher education, summed up in the words of Morris Keeton, "sharing authority is a time consuming way to function . . . the realities of campus and society do not permit an ideal strategy for power sharing . . . It is inherent in the requirements of an effective institution of higher learning that cooperation within it be difficult."[19]

Any study of governance requires reference to the distinction made by John Corson late in the 50' and early in the 60's concerning government and governance. The former means the structure of positions and roles which can be seen on an organization chart, and that "which is descriptive of the process through which individuals and/or groups set and control policy, implement decisions, and allocate resources et cetera."[20]

When both organizational structures and human interaction are invovled as they are in the concept of governance, research becomes difficult. Harold Hodgkinson maintains that "one reason we need a word like governance today is that patterns of participation in giverning an institution of higher education have become so dispersed, that organization charts are seldom accurate descriptions of what really happens."[21]

Historically, governance in higher education has passed through four periods and has now begun a fifth stage. From 1636 until just after the civil war, higher education was characterized by 'church-dominated boards and ordained clergymen as presidents.' Presidents were really super deans of students who functioned "in loco parentis."

The second major period, between the civil war and world war one, was the age of presidential giants such as White at Cornell, Eliot at Harvard, Angell at Michigan, Gilman at John Hopkins, Harper at Chicago. This was the period when denominational bias took its bows, when science became prominent and graduate schools and the community college took their place on stage.

The third major period might be called the age of the faculty. The formation of the American Association of University Professors took place just prior to World War I, a time when faculties became serious about their individual and corporate rights and freedoms.

The fourth stage followed the great war of the 1940's, a period of unprecendented growth in higher education; from 1.2 million students in 1950 to 8.5 milliom in 1970; from federal research fund support of $100 million to $1.500 billion in the same time period. Universities became big business.

The 1970's have thrust higher education into yet another period, a stage referred to by Clark Kerr as the period of change and conflict. Descriptive of the 1970's and beyond is the fact that enrollments will grow by one half in the 70's and will not grow at all in the 80's. New programs will not create an additive effect. They will replace old programs (and it is hard to replace anything in the academic world). This new, or fifth period, in the history of American higher education will witness a significant rise in public power. Clark Kerr bears this out when he writes, "the greatest current change in governance is not the rise of student or faculty power but the rise of public power; the governance of higher education is less and less by and for higher education."[22]

The literature of higher education is

one testimony of the idealisms and dreams for a better world, a better society, through a better understanding of higher education as an institution able to effect the same. The study of policy change in the Lutheran Church-Missouri Synod related to higher education seems to present a more practical and at times political picture than one which is essentially philosophical and idealistic.

Three historical phases of development characterize the LCMS. For the purpose of this study they can be identified as follows:

1. Emigration and self-preservation under strong leadership from its founding (1847) to early post World War I. This phase intersects the long period of growth in American higher education late in phase one (1636-1865), but substantially before the second phase from 1866 - 1920.

2. Cultural adjustment under benevolent colonialism, from 1920-1969. What appears to be the most significant character-

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istic of the LCMS immediately after the first world war and sustained through the most devastating campus unrest in the history of American higher education (late 1960's) corresponds to the third and fourth periods of the development of higher education described earlier. And the significance of these two periods rests on the struggle for rights among faculty and students and the unprecedented growth in buildings and bodies on the American campus during this period.

3. Unenlightened self-interest; a revolt of the people with a reversion to strong leadership, seeking a perceived liberation and rejecting freedom.

This late development encompassing the last decade seems to suggest that the LCMS, because of its own internal struggle as organization (church) stepped into a parallel track with the national trends toward change and conflict. Without a doubt, in the mind and judgment of this researcher, the LCMS had become acculterated by this time. One clarifying testimony of particular significance come from John Tietjen, President of Christ Seminary-Seminex and former President of Concordia Theological Seminary, Saint Louis, Missouri. After being ousted as president of Concordia Seminary in 1973 at the same time students from the same institution marched into exile, and after establishing an alternative Lutheran theological seminary in Saint Louis with the aid and assistance of the School of Divinity of Saint Louis University and Eden Theological Seminary, Tietjen said in an interview conducted January 6, 1977, the following:

> The controversy that we are presently experiencing is a direct result of a reaction to acculteration . . . Lutherans were ethnic groups. They came from portions of Europe that did not speak English. They came to the United States. They did what every ethnic group tries to do. They built up walls in order to preserve the culture and because they were religious they used the culture to preserve their faith. In the process they started losing their younger generations. So, they discovered they had to adapt to the language and the land and eventually they did.

The Missouri Synod was an ethnic group and so highly ethnic that it took a long time to acculturate. It has high walls. The language walls were re-inforced by the parochial school system. . . to keep the language, to preserve the culture, to preserve the faith. We were very much inbred, everybody related to everybody else in the Missouri Synod and we managed to keep the walls very high to protect ourselves, insulate ourselves from what was going on outside . . . but once the walls came down, they came down with a crash. . . and we discovered that we could not continue to grow by bringing the immigrant in. We wanted to grow, so we had to grow through evangelism. We brought in all kinds of outsiders into the Missouri Synod; our children no longer went only to parochial schools; they went to public schools. Our clergy did not just go to system schools. They went outside the system. They just didn't study history or English language; they studied theology outside of the system and we acculturated, that is we learned, we interacted with our culture, we adopted the ways and patterns of our culture and all sorts of change took place in the process. The homogeniety disappeared, we had diversity. We became much more like the American scene. You can document the changes. You can point to them in the 40's and 50's, in worship and mission and education, in understanding welfare and in theology . . .

It is tough for an institution to go through change, tougher than for an individual. There were all sorts of evidence of hostility to the changes that were taking place. Wolves out there that didn't like the changes went after the Walther League (national youth organization). If they couldn't get the Walther League they went after somebody else. Concordia Teachers College, River Forest, Illinois, was under attack because it had certain professors there. Concordia Seminary, Saint Louis, Missouri, was under attack because Arthur Carl Piepkorn came and he was a Romanizer. Then Martin Scharlemann was introducing all these new exegetical methods and they didn't like that. The Sunday School editorial staff decided to change the educational pattern. Nobody liked that. There were all these high church people around who were doing all the crazy worship things. There was great hostility to the changes taking place.

Besides all of that we started flirting with other Christians, with other Lutherans. We got into the Lutheran Council in the U.S.A., and established fellowship with the American Lutheran Church. It was the ALC fellowship issue that focused the resistance to change. The resistors found a couple of champions who really had political knowhow. And what they could not do with argument and persuasion, they decided to do with politics, that is turn the tide of history back and stop the change. They took over the institutional church for the purpose of stopping the change. They started in 1965, they elected some people in 1967, they captured the presidency on the ALC fellowship issue in 1969, and having the presidency they had clear sailing to take over the rest of the church. They have succeeded completely. By 1975 there may have been one or two people who were not officially approved by the party that took over. . .[23]

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The first period, although an interesting tableau of history, lies outside the purview of this study. The second major period is equally as interesting and for the most part lies outside the period covered by this study. The second half of the period does engage our attention.

The LCMS became Americanized at least with reference to language usage. From German to English a slow transition was made into mainstream American church denominationalism. And yet because of its Saxon background and language barriers the church remained for the most part a foreign occupant.

Higher education as a major concern of the founding fathers, specifically parochical, was the step-child of the church body. More attention was paid to theological education per se than to the purpose for it, namely, evangelistic outreach. The LCMS was and still is a very academic church body. Her claim to world wide attention has always been, and still remains, the sponsorship and support of the largest protestant elementary school system in North America. For the first seven decades of the 20th century the church body owned and controlled the largest theological seminary in the world, Lutheran by persuasion.

The middle ground between the grammar school and the commitment to higher education, namely, the community Lutheran high school, has mushroomed only in the last decade. From fifteen community high schools in 1960 to 51 by 1978, and with the growth at the secondary level of private church related schools, much will need to be said in the future concerning the needs for post-secondary education, not necessarily higher education. The researcher became more and more aware of the need for time to study the significance of this influence on programs of higher education in the LCMS, with an enabling blue print and road map for its future. It is quite evident, however, that very little visible planning has taken place to cope with the alternatives post-secondary education

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provides to the traditional junior college and senior college programs, primarily designed for full-time church work students.

There is little doubt that for the balance of the century higher education with progressive degree levels will be the most desired and pursued course of learning. However, it seems clear to many in post-secondary education that alternatives to the traditional degree programs are both welcome and necessary for the future. This assumption deserves scholarship's best probes.

Having selectively recorded higher education's own testimony concerning governance and having established the parallel and at times over-lapping histories of major movements in American higher education and major movements in the LCMS, the researcher is obligated to summarize and conclude this dissertation in the light of the above.

Who decides? The question implies persons. What decided? The question determines the answer - policies. It is the tension between the who and the what that has made this study interesting and has provided motivation for the search.

Even though faculty members have gained considerable power and respect in the 40's, administrators, especially presidents of colleges and seminaries of the LCMS were strong paternal types. The forties bring a temporary halt to this paternal, pastoral, Hausvater, enlightened monarch and ruler type image. Presidents together with their faculties had to turn attention to a sudden growth in student populations. The end of World War II brought the battle fields of western Europe and the Orient to the college and university campus. Thousands of service men under the federal GI Bill, began, continued, and completed academic programs in nearly every degree granting institution in the United States. From the mid to late 40's until the end of the 60's there was accelerated and nearly unbelieveable growth. The institution of higher education had to supply probationary teachers by the thousands for the bulging lecture halls and classrooms both in public as well as private education. The interesting phenomenon of struggle for power by the faculty ebbed, crested, and peaked out for two reasons. The faculties were too busy in the classroom to get into political trouble at first, and second, student power was asserted with instant results.

It had taken faculty from the time of the medieval university in Europe until the late fifties to claim their due power. In the United States, the beginnings of the struggle, in an academic sense, were around 1915 at the time the American Association of University Professors was founded. A concerted effort for about 50 years 1915-1965 finally gave visibility and power to the pedagogue. Not even the most profound prognosticators would believe what would happen to radicalize the American Campus.

"Burn Baby, Burn," and "Hell no, we

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won't go," and every conceivable slogan, campaign, radical influence, and/or group hit the campus scene to politicize it. The faculties' struggle for power capitulated to student demands and radicalism. It is interesting to note that during the 60's Lutheran student govenment groups and associations raised their eyebrows at least, but really not their heads to see what was going on.

Faculties and administrators had difficulty coping with and controlling the radical student element. And so in many institutions both because of crisis situations, or in order to avoid them, boards of trustees and boards of control took over. History has yet to write this chapter with full accuracy on the who, what, when, where, and why of the 50's and 60's.

But before higher education has an adequate handle on one decade, it finds itself deep into another one. Challenges and problems

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are the hallmark of higher education. Always it seemed that the sturctures for decision-making had provided for disagreements, for conflict, for diversity of approaches for problem solving. However, when the synodical revolt came, most were not ready for it. Living by a careful plan was overturned by those who accepted violence as a legitimate means to an end.

A distinguished university professor (for thirty years at Saint Louis University and presently Professor Emeritus at Marquette University, a former member of Synod's Board for Higher Education) described policy as the "kind of plan which attempts to determine means and methods for dealing with a recurring situation in a more or less uniform way."[24]

The LCMS had planned carefully for programs of higher education by adopting constitutional bylaws to govern the major higher education related constituencies. The founding fathers as well as the generations to follow honored the churchs' commitment to vocational training and adopted policy quidelines for its organizational protection. It would appear to the researcher that the lack of readiness to deal with the educational problems of the late 60's and early 70's finally brought the so called system to an end. The system in fact collapsed. Research need only point to article after article in tabloid and mimeograph format, unofficial publications that kept reinforcing the "death of the system." It is this example of the plethora of publications arising during the 60's and 70's that contributed to the researcher's conclusion that the goal of the revolt of the laity was ultimate power and control.

On the national scene, California began the revolt of the taxpayer late in the 70's. The citizen revolt was a clue to what was already happening in some church related higher education. It is the studies opinion of the researcher that the reality we face in the 80's is the "citizen-clout" similar to that of taxpayers in

California during the late 70's. Programs and priorities of higher education in the LCMS will find serious sanctions and controls brought on by the "taxpayer."

In the 40's administrators called the shots; faculties took their turn in the 50's; students seized power instantly in the 60's; Boards are having their crack at it in the 70's; and the best of the seers predict control by the "people" in the 80's. Although this study deals with only 31 years of higher education history, nevertheless, the "parenthetical" years would suggest a wider scope of history, a half century of fascinating activity, a time of rapid change, a period of evolution in people, programs, and policies.

1944-1975 was a dynamic period of history in the LCMS, especially in the area of higher education administration. The findings from chapters III and IV, bear testimony to the significance of policy change. The reader is encouraged to review the Higher Education Data

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Summary Chart - Table 3-06, to note the significance of change. The researcher has discussed at length the evolution of policy and carefully documented the change in his extensive appendices. The design of the study, naturally lends itself to qualitative analysis and conclusion, i.e., substantive changes within numerous bylaw statements of the Handbook of the Synod. However, it was possible to observe the quantitative results of 31 years of policy evolution in terms of the number of changes during many periods of time.

The limitations of this study, as well as the limitations of studying linear history are essentially the limitations of time and separation from the event in order to properly evaluate the significance of change. Only time will correct the studied observations, and findings, and conclusions of this piece of research.

The tapestry of history is a complex and often artistically "busy" record of the

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unessential. Nevertheless, reason must encounter the fabric with respect, care, and appreciation for its complexities. The detailed horizontal study of policy development from 1944-1975 is testimony to that conclusion. Where the task of research demands breadth of study, it also demands depth. It is, therefore, essential that the data examined be placed into a vertical dimension and studied for its significance by calendar (convention) year in contrast to change within the policy per se.

It is not the burden of this research to re-examine the data, however, for the sake of example the reader's attention is drawn to two very important years in the study.

First, 1959, a convention year in which 63.7 percent of all policy related to higher education section VI., A - E, were changed. What was happening in 1959? What were some of the projections for higher education in the LCMS? Higher education was the beneficiary of the second world war baby boom. Growth appeared to be unlimited by the most conservative estimates. Membership in the church was keeping pace with the population growth. The projections for long-range man power needs were very ambitious. Note the following: "As corrected to August 1, 1958, the Synodical Survery Commission is assuming the following totals of communicants in the LCMS in North America only in the years from 1959-1982."[25] Projections are speculations, sometimes good, sometimes poor. Compare the projections to the actual growth in Table 5-01.

It is significant that the Synodical Survey Commission projections differed so greatly from the actual communicant membership statistics. Using 1975 for sake of comparison, since that is a boundary date for the sake of this study, the reader observes the following significant comparison:

Projection - 1975	Actual - 1975
3,085,700	2.085,821

As the LCMS approaches the beginning of the last

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TABLE 5-01

SYNODICAL SURVEY COMMISSION
1958 PROJECTIONS
ACTUAL LCMS MEMBERSHIP STATISTICS

Year	Projected	Actual
1959	1,534,500	1,518,394
1960	1,598,400	1,571,641
1961	1,662,800	1,631,137
1962	1,730,500	1,677,943
1963	1,802,000	1,730,674
1964	1,878,100	1,777,185
1965	1,959,000	1,819,936
1966	2,045,100	1,860,949
1967	2,137,400	1,901,339
1968	2,234,000	1,934,910
1969	2,338,300	1,958,384
1970	2,496,900	1,980,925
1971	2,561,600	2,011,348
1972	2,682,800	2,028,728
1973	2,810,000	2,049,799
1974	2,994,200	2,077,393
1975	3,085,700	2,085,821
1976	3,234,900	
1977	3,392,000	
1978	3,558,300	
1979	3,732,800	
1980	3,917,200	
1981	4,109,500	
1982	4,311,400	

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two decades of the 20th century, the data projections of 1958 become more and more significant.

The second key calendar (convention) year in which to look vertically at policy change was 1969. This year marked the beginning of a new administration and a new direction for the Synod. J.A.O. Preus, former president of Concordia Theological Seminary, Springfield, Illinois, was elected President of the Synod. A benevolent Oliver Harms, like his benevolent predessor John Behnken, failed to be re-elected to the office of President (the first time in modern history in the Synod that the incumbent failed to be re-elected). A revolutionary kind of concention with the majority of delegates calling for strong leadership accepted political management and maneuvering in contrast to the benevolent churchmanship model of leadership so long a mark of the LCMS.

The evidence of revolution was clear, perhaps highlighted by the following observations:

1. Change involved discontinuity; things were just changed. There appeared to be no normal transitions from the past to a new administration. Personnel who had served the church for years were terminated or resigned. Major policies were reversed overnight.

2. Leadership turnover was swift and large; of particular significance was the fact that except for one west coast college president every other synodical junior college, senior college and seminary announced a new president since the beginning of the 70's (some because of retirements). This naturally created a major shift not only in the top administrative position, but in the support staff at first line and middle management positions.

3. Revolution brought about the reordering of status, namely, who counts and why. The arrival of many new faces on the college and seminary campuses, the election of new District Presidents, a major shake up of

headquarter's staff at the executive level, all were evidences of revolutionary changes.

4. An internal war was caused by those who were intent upon redeeming and saving the Synod from moderate-liberal theology, by those who were publishing their own statements of orthodoxy and at the same time condemning everyone who did not believe and confess as they did. What marked this period and movement? All kinds of newspapers appeared on the market. Leading synodical officials became members of incorporated editorial groups bent on publishing the "pure and saving truth" about moderate-liberal beliefs.

5. Institutions began to flounder; no one seemed in control. This was the beginning of the period when survival had become the goal of many institutions. Note the observations of Martin L. Koehneke, former president for 18 years at Concordia Teachers College, River Forest, Illinois:

> I think today, the church has lost; it's

> talking so much about survival as an institution. Rather than talking about mission, it is looking at herself. . . and so we bring in people whose task is to help institutions survive rather than have institutions become better educational institutions.[26]

6. Difficulty in defining issues was a real cause for revolution (cf., the 1959 controversy on What is a Doctrine, Resolution 11, P. 192, 1959 Proceedings of the Forty-Fourth Regular Convention of the Lutheran Church - Missouri Synod, San Francisco, California June 17-26, 1959.).

7. The inability to acknowledge or recognize change; this was particularly perplexing when those in power denied anything was changing.

Revolution is based upon a number of assumptions. Three important basic assumptions are as follows: (1) revolution can take place through pariamentary process and elections; (2) revolution can be an attempt at restoration rather than innovation; (3) revolution is most often a leadership function, not a bisic organizational or cultural change.

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Based upon these assumptions it is possible to view with some clarity the characteristics of the new order in the LCMS. These characteristics include the following:

1. the striving for certainty and absolutes, as illustrated by the work of the synodical Commission on Theology and Church Relations, the interpretations of the Commission on Constitutional Matters, responsible for the interpretation of disputed bylaws, a controlled press by synodical headquarters as illustrated in the "Lutheran Witness," (the official publication of the church body), and the allied support of synod's position by unofficial papers such as "Affirm," and "Christian News," two newspapers of avowed conservative persuasion.

2. the desire for structure because structure is determinative for what will happen;

3. the seeking for uniformity, which is another way to describe and foster institutional and organizational loyalty;

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4. the unrecognized practice of selective fellowship (which has been going on for decades);

5. the intolerance for those most like the LCMS (members whose families were from the very Saxon beginnings, who became a part of the confessional movement called ELIM - Evangelical Lutherans in Mission - and who maintained their traditional conservative theological posture, and AELC members - those who organized the Association of Evangelical Lutheran Churches - followers of the Seminex movement when its leadership and students from the Saint Louis, Seminary, went into exile;

6. the imposition of a secular management style without relating it to the theology of the church, namely, what's good for General Motors is good for the church.

Why these general observations? Because they are a halltree on which to hang so many of the informant interviews which were all conducted immediately following this radical period in the history of higher education in the LCMS. The revolution focused without question on practice and people in higher education, very little on policy except where politically necessary and expedient.

So many of the voices of the past, and the present, persons who were the policy formulators and decision makers were reluctant to tell the story of internal conflict. "Synod's programs of higher education were run on a 'buddy system' rather than on a policy basis,"[27] said William Buege, former member of Synod's Board of Directors, and former member of the Board of Control of Concordia Seminary, Saint Louis, Missouri.

Yet another perspective on the system comes from Arthur Alhschwede, Executive Secretary of the Board for Higher Education for over 20 years. Alhschwede maintains that:

> in order to control an organization or to be able to do things as you deem best your reduce everything to a theological situation. If you and I disagree on the business operation, I immediately baptize that with a stance on theology which

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> isn't appropriate and consequently since your theology is all bad your business operations are also bad. A tremendous amount of this has crept in and I think is unfortunate that the church has not seen fit to differentiate very carefully between what is ordinary administrative policy and what is a theological issue.[28]

The clear testimony of hours of interviews with decision-makers in higher education administration underscores the above observations. It never ceased to amaze the researcher how reluctant informants were to discuss issues related to the "unenlightened self-interest" phase of the church's history. One conclusion is obvious, they loved their synod very much.

How did policy in its evolutionary stages relate to internal and external governance from 1944-1975? The conclusions are profoundly simple, almost too simple and obvious. The decades of the 40's, 50's, and 60's belonged to those constituent groups which were internal to the institution, administrators, faculties, and students. The maturing of higher education programs and leadership in the

Synod happened during this period of history. Changes in policy and new directions in programs were the results of combined efforts of the constituencies internal to the institution. However, it is clear to this researcher that the genius for policy changes and the editorial and creative talent which authored the changes were not on the college and seminary campuses. The staff of the BHE assumed the initiative for the changes and updating that occurred between 1944-1975. (The staff really had no input on the decision-making process or policy formulation after the 1971 convention. In the period 1944-1954, the BHE worked as an administrative board under the leadership of M.J.Neeb Sr. When Walter Wolbrecht became executive secretary - 1954- and later when Arthur Ahlschwede became assistant executive secretary - 1956- then staff leadership was an important ingredient in policy formulation. It was at this time, 1954-56 that the BHE stopped assigning homework to its members and eliminated the committee structure of the board.

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The evolution of policy change was the result of the next level of decision makers, those outside of the sampus community. The BHE, its leadership and staff deserve most of the praise and blame, credit and criticism.

In the 70's local boards of control, subordinate to the BHE, and the board of directors of Synod, asserted their authority and powers. For the sake of careful delineation of internal and external, it is important to classify these three board levels.

That board most indigenous to institutional policy development is the Board of Control. The next layer of policy makers is the BHE. The top level board of the church, international in its purview and authority is the Board of Directors.

This researcher would suggest that the Board of Control belongs outside of those constituent groups most immediate to the campus. Although its task and function is to establish policies for the benefit and service of the local community, yet it, by its form of election and by its ultimate authority and responsibility to the Synod, must be considered an outsider. Better that this board should be described as a "transitional" constituency. There should be few doubts about the significance and importance of the next two levels of boards and purposes for policy formulation. The BHE and the Board of Directors of the Synod are external to the campus.

Back to the 70's for one final comment. It was a transitional decade. It was run by boards of control and trustees. And as American higher education, public and private arrives at the threshold of the 80's , it appears more and more like those external to the higher education enterprise will run it, shape it, or break it. The taxpayer-church member - they are the "clout" for the 80's. Why?

Taxpayers are publically bleeding to death and have begun to say "no" to big government, big budgets, big spending, big research grants, et cetera. In the LCMS, especially in her programs of professional theological studies, some supporters are seriously disillusioned. For just as American higher education is moving into a post-growth period with serious questions about its traditional goals of teaching, research, and social service, so the LCMS struggles to find relevance, mission, and goal.

Revolution can be expected to have a short life-span, and so some believe that the LCMS has already entered another phase of its development, a time of disintegration through integration, a phase of discovery that the people were not included in the revolution. It is a time also when the new majority (the controlling power structure) lacks the cohesiveness to stay together). Once raw political power took over, the purifying principle of doctrinal conformity was achieved.

The question today, for a post-revolutionary orthodox conservative church body is,

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who has the power? And some are saying who cares who has the power because the LCMS is no longer a viable institution or organization. What has crippled the influence of a once progressive conservative church body?

1. Internal theological conflict,
2. External theological conflict,
3. Organizational in-fighting,
4. Progressive weakening of institutions and structures,
5. Loss of purpose and identity of the Districts of the Synod as organizationally significant decision making units,
6. Disillusioned members, congregations, and many professionals,
7. Problem solving through organizational structuring rather than by governance process.

Somewhere, at sometime, this search for conclusions must stop. Admonished by my dear advisor Carl A. Hangartner S.J., before his untimely death, not to bore the readers (the graduate committee) with unnecessary findings and conclusions, it is time to rest our case concerning policy development, evolution, and governance. The anecdotal history of this period is on audio-magnetic tapes (more than 60 hours of recordings); it is a story yet to be told in total synthesis; it is a testimony to the great potential for programs in the LCMS related to higher education. It is a saga of love and deep pain because of the dramatic events which occurred related to a system of schools which some experts agree is no longer a system.

The value of the study for this student of higher education has been inestimable. The data shall live in the heart and mind and very being of him for all times. Let it be said in conclusion that after twenty-five years as a student of and a professor in the system there surely was and still is a preoccupation with theological issues. There has been and perhaps always will be a form of ecclesiastical "gangsterism" present in any church related government; survival has become the number one issue of most of the schools in Synod at the end of the 70's and at the beginning of the 80's; Colleges and seminaries are really 'owned' and controlled by their presidents who, according to the Synodical Handbook section 6.93 are to be all things to all people; synodical institutions of higher education have become their own constituencies; they don't belong to Synod as a whole; they have become places of power for a few persons.

A profound sense of awe and respect and near reverence for the system which trained this researcher, credentialed him for teaching, and certified him for public ministry has not been replaced with hate, anger, or bitterness. Tradegy perhaps says it best; it is the most honest expression of a feeling which more and more, as the data was studied, helped the researcher to discover that he had been approved for a dissertation that would be difficult to write.

There was evidence to suggest an evolutionary development of policy, changing in a natural and predictable pattern. However, when scholars more perceptive than I close the chapter on this slice of history, my educated guess is that the writer or writers will chose a different word. Revolution, not evolution seems more and more to mark the history of higher education in the Lutheran Church-Missouri Synod from 1944-1975, an evolution of policy to be sure, but a revolution of people.

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APPENDICES

APPENDIX A

HANDBOOK OF THE LUTHERAN CHURCH - MISSOURI SYNOD
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APPENDIX A

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VI. HIGHER EDUCATION

A. BOARD FOR HIGHER EDUCATION

6.01 Personnel and Election

A Board for Higher Education, consisting of three pastors, one teacher or superintendent of Christian day schools, and three laymen shall be appointed by the President of Synod in conjunction with the Vice-Presidents of Synod, subject to the approval of the College of Presidents. Vacancies shall be filled in the same manner.

6.03 Advisory Committee

The Presidents of Synod's educational institutions in North America, or their representatives, shall constitute a standing Advisory Committee, which shall meet at the call of the Board.

6.05 Functions of Board

The Board for Higher Education shall strive to maintain the educational institutions of Synod at a high degree of efficiency and generally promote, improve, supervise, and direct adequate education for the preparation of its ministers and teachers, and assist, encourage, and advise with regard to means and objectives of higher Christian education, always keeping in mind the specific religious, spiritual, and professional ideals and objectives of our whole educational system.

6.07 Duties

The Board for Higher Education, in carrying out its duties, shall:

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a. supervise the execution of all rules, regulations, and resolutions of Synod relating to its educational system or its institutions;

b. determine, direct, and supervise, within the intent and resolutions of Synod, the educational and administrative standards, policies, and procedures of Synod's educational system and institutions;

c. study, determine, and put the synodically prescribed curriculum into effect at each educational institutional of Synod after due consultation with the authorities thereof; enforce the instructional standards and policies in relation thereto; and determine and recommend the policies and standards generally in relation to higher Christian education which shall be pursued at such institution. It shall keep in mind the viewpoint of the faculties both before and after the policies have been formulated;

d. study and survey, or cause to be studied and surveyed, with the necessary professional assistance, the trends and the philosophy of modern education; determine the relation and the implications thereof to Synod's educational standards, policies, and objectives; make the results and conclusions of such studies and surveys available to the faculties of Synod's educational institutions and to Synod generally;

e. visit the institutions when necessary, and require stated reports from the Presidents, faculties, and Boards of Control;

f. engage an Executive Secretary, determine the qualifications of his office, and prescribe his duties and functions;

g. engage such additional clerical and professional help as may be necessary;

h. gather, prepare, and maintain records and details of scholastic attainments, academic qualifications, and relevant data concerning persons qualified to teach at the educational institutions of Synod. It shall make available all such records and data to the Boards of Control of Synod's educational institutions and to persons who are authorized to participate in calling or otherwise engaging personnel for the teaching staffs of such educational institutions;

i. have such other and additional powers, duties, and jurisdiction as may from time to time be prescribed and authorized by resolution of Synod.

6.09 Duties of Advisory Committee

The Advisory Committee shall meet on call of the Board for Higher Education. It shall study such problems and issues in the field of higher education and of the educational system and institutions of Synod and such other matters as may be assigned to it by the Board for Higher Education; and it shall report the results and conclusions of its studies to the Board for Higher Education for consideration in determining and fixing the educational policies, standards, and procedures for the educational systems and educational institutions of Synod.

6.11 Meetings with the Faculties

The Board for Higher Education shall call a meeting of the faculties of Synod's educational institutions during the year preceding the triennial convention of Synod for the purpose of studying, co-ordination, and improving the educational policies, standards, procedures, and curricula of Synod's educational institutions. No member of any faculty shall be excused except for valid reasons. The cost of such meeting, including expenses for travle, room, and board incurred by each person attending in an official capacity, shall be paid by Synod.

B. BOARDS OF CONTROL

6.21 Election by Synod

A Board of Control for each of Synod's

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educational institutions shall be elected by Synod triennially, to provide effective local administrative organization, to facilitate the achievement of the purposes for which the respective institution is maintained, and to safeguard the financial, academic, and religious interests of Synod in such institutions.

6.23 Personnel of Boards Generally

The Board of Control of every institution except Concordia Seminary at St. Louis and the teachers colleges shall consist of the President of the synodical District in which the institution is located, or his representative, one pastor who is a voting member of Synod, and three laymen who are members of congregations of Synod and who reside within reasonable proximity to the institution. The President of the institution shall attend the meetings of the Board of Control in an advisory capacity.

6.25 Personnel of Board for Concordia Seminary St. Louis

The Board of Control of Concordia Seminary at St. Louis shall consist of one Vice-President of Synod, to be designated by the President of Synod,the President of the Synodical District in which the Seminary is located, three pastors who are voting members of Synod, and five laymen who are members of congregations of Synod and who reside within reasonable proximity to the institution. The President of the Seminary shall attend the meetings of the Board of Control in an advisory capacity. Since he is to be the executive of the board, he should remain for the duration of the meetings.

6.27 Personnel of Boards for Teachers Colleges

The Boards of Control of teachers colleges shall consist of the President of the synodical District inwhich the institution is located, one pastor who is a voting member of Synod, one teacher who is a member of a congregation of Synod, and three laymen who are members of congregations of

Synod and who reside within reasonable proximity to the institution. The President of the college shall attend the meetings of the Board of Control in an advisory capacity.

6.29 Qualifications of Members

No member of the Board of Control shall be on the salaried staff of an educational institution of Synod, nor shall a member of the Board of Control enter into gainful business contracts or relations with the institution.

6.31 President of Institution is Executive Officer

The President of the institution shall be the executive officer of the Board of Control to carry out its resolutions.

6.33 Vacancies

Boards of Control shall fill any vacancies occurring in their membership with the approval of the President of Synod.

6.35 Organization

a. The Board of Control of each of Synod's educational institutions shall elect a chairman and a secretary and appoint such standing and special committees as it may deem necessary.

b. Each Board of Control shall elect a treasurer,who need not be a member of the Board. He shall keep accurate accounts of all moneys, goods, property, and assets received and disbursed by him, in accordance with such system of accounting and business records as may be prescribed by the Board of Directors of Synod in conjunction with the Board for Higher Education; shall deposit all moneys in a bank designated by the Board of Control, make regular reports to the Board of Control, submit his books and records for inspection and audit, and furnish bond to Synod for the faithful performance of his duties in such amount as shall be determined by the Board of Directors of Synod. All surplus funds above a reasonable working balance shall be deposited with the Treasure of Synod.

c. The Board of Control shall meet at regular intervals and not fewer than four times each year.

6.37 Relation to Synod and Legal Capacity

a. Each Board of Control shall operate and manage its institution as the agent of Synod, in which ownership is primarily vested and which exercises its control through the Board of Directors as custodians of Synod's property, the Board for Higher Education, and the respective Board of Control.

b. Each Board of Control shall constitute the governing body of its respective institution. It shall constitute the body corporate of such institution and shall be vested with all powers which its members may exercise in law either as directors, trustees or members of the body corporate, unless in conflict with the laws of the domicile of the institution or its articles of incorporation. In such event, the Board of Control shall have power to perform such acts as may be required by law to effect the corporate existence of the institution.

c. Each Board of Control of an institution, or the body corporate thereof, shall receive all grants, gifts, devises, and bequests, either by deed or will or other wise made to such institution. Report and delivery thereof shall be promptly made to the Treasurer of Synod or such other person as may be designated by the Board of Directors. If delivery is precluded by law or the terms of the grants, gifts, devises, and bequests, the Board of Control shall hold and administer the same, in accordance with the terms of the instrument creating such gift, under the direction of the Board of Directors of Synod.

d. Each Board of Control of an institution, or the body corporate thereof, shall let all contracts and assume all financial obligations and contractual responsibilities in the name of its respective institution and shall supervise and control theexecution thereof under the direction of the Board of Directors.

6.39 General Functions and Duties

a. The Board of Control shall carry out the educational program and the curriculum prescribed by the Board for Higher Education for the respective institution; and in order to make certain that the work of the institution is carried on effectively and in the spirit of and in accordance with the theological and academic standards of Synod, it shall require regular reports from the President of the institution, or make personal visits, or both.

b. The Board of Control shall be responsible to the Board of Directors of Synod for the condition of the physical property of its respective institution and shall operate, manage, control, and supervise the property, grounds, buildings, and equipment and maintain the same in good repair and efficiency.

c. The Board of Control shall be responsible for the proper housing of its faculty members, foradequate housing and boarding facilities, health services, and social and athletic activities of its students, and the general welfare of both faculty members and students.

d. The Board of Control shall be responsible for the efficient business administration of its respective institution, in accordance with such methods of accounting as may be prescribed by the Board of Directors of Synod in conjunction with the Board for Higher Education.

e. The Board of Control shall carefully supervise the collection and disbursement of all funds raised by students for student activities as well asthe funds derived from the college bookstore andother agencies and sources.

f. The Board of Control shall be responsible to the Board of Directors of Synod in all matters regarding property and its maintainance. It shall submit reports regarding the same at regular intervals, or upon request. It shall apply to the Board of Directors for the property repairs and improvements, which, when authorized, shall be carried out by it on behalf and by order of the Board of Directors.

C. TEACHING STAFF AND FACULTY

6.51 Members of Teaching Staff

The teaching staff of each educational institution of Synod shall be composed of all those administrative officials and teachers who are called by the electors or who are appointed by the Board of Control. Four ranks shall receive official recognition.

a. Assistants: They shall be appointed by the Board of Control upon recommendation by the President of the institution and shall be recruited primarily from the ranks of the undergraduate and graduate students of the seminaries and the teachers' colleges. The original appointment shall be for one year and may be renewed by the Board of Control for a second year. Extension of the appointment beyond two years shall require the consent of the Board for Higher Education.

b. Instructors. They shall be appointed by the Board of Control upon recommendation by the President of the institution. Such appointment shall be for two-year terms and may be renewed in the manner prescribed for the original appointment and upon their request file the name of such instructors with the Board for Higher Education for listing on the Board's roster of available instructors. Upon completion of satisfactory teaching experience as well as adjustment of any requisite academic, professional, ministerial, or parish school work, instructors shall be eligible for calls to associate professorships or professorships in any of Synod's preparatory colleges, teachers colleges, or theological seminaries. Business managers, assistant librarians, physical education directors, athletic coaches, or other permenent staff personnel, notrequiring theological training or ministerial experience may hold the rank of instructor.

c. Associate Professors. They shall be nominated, elected, and called in accordance with the synodical regulations governing the nomination, the election, and the eligibility of professors. The position of associate professor shall involve permanent tenure, terminable under conditions identical with those governing the tenure of professors. Associate professors shall be related to the administration of the institution in a manner identical with the relationship established for professors, except in matters of salary. Associate professors may be advanced to the rank of professor by the local Board of Control with the consent of the Board for Higher Education without extending a new call.

d. Professors. They shall be nominated, elected, and called primarily from the ranks of associate professors in accordance with the synodical regulations governing nomination, election, and calling of professors. This position involves permanent tenure and increased salary.

6.53 Members of Faculty

The faculty of each educational institution of Synod except Concordia Seminary, St. Louis, shall be composed of the President of the institution, the professors, associate professors, and all those administrative officials who are called by the Board of Control in accordance with the regulations hereinafter prescribed. Instructors shall hold advisory membership in the faculty. At Concordia Seminary, St. Louis, the President, the deans, and the professors shall constitue the academic faculty.

6.55 Ranking of Members of Staff

The Board of Control of each institution in conjunction with the Board for Higher Education shalldetermine the status and rank of members of thefaculty and other administrative officials and instructors, unless otherwise provided by Synod, and shall fix their salaries in accordance with the salaryschedules adopted from time to time by the Fiscal Conference.

6.57 Salary Schedules

The salary schedules of all professors, associate professors, instructors, and assistants, and other officers, paid in whole or in part from the synodical funds, shall be fixed by the Fiscal Conference upon recommendation of the Board for Higher Education to the Board of Directors.

6.59 Meetings

Each faculty shall meet at regular intervals and as often as may be necessary. The President of the institution shall preside as such meetings. In his absence, the faculty shall elect a temporary presiding officer. The faculty shall elect a secretary, who shall keep a permanent record of the meeting.

6.61 Fixing of Scholarship Standards

Each faculty, subject to such standards and rules as may be prescribed by the Board for Higher Education, shall adopt rules and regulations for the admission and dismissal of students, fix the standards of scholarship to be maintained by students, determine their promotion, graduation, or failure, and make all recommendations in the matter of granting certificated diplomas, and such academic degrees as may be conferred lawfully by the institutions.

6.63 Curricula, Standards, and Policies

Each faculty and the individual members thereof shall adopt and execute such curricula, standards, and policies as may be prescribed by

Synod through the Board for Higher Education.

6.65 Rules for Extracurricular Activities

Each faculty shall from time to time, in conjunction with the Board of Control, adopt rules and regulations directing the off-campus activities of their members, the activities and the extent of student's participation in athletics, and the extracurricular interest and off-campus employment of students, so that the attainment of the educational objectives at the institution may be accomplished without unnecessary diversion.

6.67 Experience in Practical Church Work

Candidates for administrative positions, professorships or associate professorships, as a rule, should have several years of experience in the active ministry or parish school work. Associate professors or professors who are called to the faculties without having had experience in the ministry or parish school work shall be required, if they areseminary graduates, to gain such experience by assistant pastorates, summer field work, vacation Bible school, etc.

6.69 Grants in Aid

The Board of Control shall recommend subsidies for university study by Instructors when such additional study is made mandatory by changes in local circumstances (e.g., addition of courses, requests to assist in library, guidance work, etc.) beyond the control of the Instructors involved. Such recommendations are to become effective upon review and approval by the Board for Higher Education.

6.71 Leave of Absence After Ten Years

The Board of Control, with approval of the Board for Higher Education, may grant any member of the faculty who has served ten years a leave of absence for one semester with pay or for one year with half pay, to pursue advanced studies in his special field of work, or any other acceptable program of experience or research.

6.73 Controversies Among Faculty Members

Controversies and disagreements among members of the faculty other than those set forth in 6.81 shall be submitted to the President of the institution for mediation. If this proves unsuccessful, he shall report the matter to the Board of Control for arbitration. Upon hearing the parties, the Board's decision shall be final. A record of such proceedings shall be filed with the Board for Higher Education.

6.75 Controversies Between President and Faculty

Controversies and disagreements arising between the President and the faculty or any member thereof, other than those set forth in 6.81, which cannot be peacefully adjusted, shall be reported to the Board of Control by either party. Should the Board of Control be unsuccessful in adjusting the matter, it shall request the Board for Higher Education to act as arbiter. Upon hearing the parties, the decision of the Board for Higher Education shall be final. Records of such proceedings shall be filed with the Board for Higher Education.

6.77 Tenure of Office

All duly called administrative officials, professors, and associate professors shall have permanent tenure of office, terminable only for the following cause:

a. acceptance of another call
b. retirement
c. resignation
d. incompetency
e. incapacity
f. refusal to co-operate
g. neglect of office
h. conduct unbecoming a Christian
i. adherence to false doctrine

6.79 Continued Service After Retirement

Administrative officials and professors shall be honorably retired at the age of 70. Any continued service after that shall be determined by the Board of Control, in consultation with the Board for Higher Education. Such persons shall thereupon be given the title of "Professor Emeritus," or"President Emeritus."

6.81 Incompetency, Neglect, or Incapacity

The Board of Control, after due investigation of the facts and circumstances and after consultation with the Board for Higher Education, may relieve of his office any member of the administration or teaching staff of any institution who appears to be incompetent or neglectful of his office or incapacitated for the successful performance of his duties because of physical, mental, or emotional disabilities. In such event, the Board of Control may continue his salary until he receives a call, but not exceeding six months, or may render such other financial assistance as the necessities of the case may require.

6.83 Refusal to Co-operate, Willful Neglect Unbecoming Conduct, False Doctrine

The Board of Control shall duly investigate all the facts and circumstances and shall refer its findings to the electors when a member of the administrative or teaching staff of any institution appears to be guilty of contumacious refusal to cooperate with the president and faculty of the institution and officers and Boards of Synod to an extent that will injure or interfere with the purpose and objectives of the institution, or of willful neglect of official duties, or of conduct unbecoming a Christian, or of promulgation of and adherence to false doctrine. If the electors shall find such person guilty of the offenses complained of, he shall be suspended or removed. His salary shall thereupon be discontinued, and he shall promptly vacate his living quarters.

D. THE PRESIDENT OF THE INSTITUTION

6.91 Authority and Duties

The President of each of Synod's institutions shall be the spiritual, academic, and administrative head thereof and shall be the executive officer of the Board of Control. Synod, its boards, and its members shall first of all hold him responsible in all matters pertaining to the institution. In the exercise of his office he shall be charged with duties and vested with authority as follows:

a. He shall represent the institution in its relations to Synod and its officers and boards.

b. He shall supervise, direct, and administer the affairs of the institution in all its departments pursuant to the rules and regulations of Synod, the Board of Control of his institution, the Board for Higher Education.

c. He shall make pertinent recommendations to the Board of Control and bring to its attention matters which require its consideration or decision.

d. He shall be the academic head of the faculty and preside at its meetings. In his absence, the faculty shall elect a temporary presiding officer.

e. He shall periodically visit the classes of professors and instructors, observe their efficiency and the execution of the prescribed curriculm, and, in general, secure conformity in teaching efficiency and subject matter to the standards and policies prescribed by Synod through the Board for Higher Education.

f. He shall advise and admonish in a Christian and fraternal spirit any member of the faculty and any instructor found dilatory, neglectful, or inefficient in his duties. Should such action prove ineffective, he shall report the matter to the faculty for further fraternal discussion and persuasion. If this results in failure to correct or improve the situation, the President shall report the matter to the Board of Control for consideration and action.

g. He may in his discretion request a member of the faculty to assume temporarily one or the other of his functions or the functions of some other member of the faculty and, with the consent of the Board of Control, may transfer functions permanently to a member of the faculty, who shall assume the same unless excused for valid reasons and who shall be responsible therefore to the President.

h. He shall be the head of the Department of Religion and, if possible, give the principal courses in the same; and he shall be the pastoral and spiritual adviser of the students, unless otherwiseprovided by the rules and regulations of Synod.

i. He shall carefully watch over the spiritual welfare, personal life, conduct, educational progress, and physical condition of the students and, in general, exercise such Christian discipline, instruction, and supervision as may be expected at a Christian educational institution. To that end he shall, with the advice and assistance of the faculty, draw up and carry out such rules and regulations as will be conducive to the cultivation of a Christian deportment on the part of all the students, stimulate the creation of a cultural academic atmosphere on and about the campus, and make a spiritually wholesome social and community life possible.

j. He shall be responsible for the employment, direction, and supervision of all employees of the institution and for the proper operation and maintaining of grounds, buildings and equipment.

6.93 Vacancy

The Board of Control, in case of the temporary incapacity of the President or a vacancy in the office of President, shall designate some member of the faculty as acting President.

E. ELECTIONS

6.101 Electors

Professors, associate professors, and the required administrative officers for all positions officially created by Synod for each of Synod's educational institutions in North and South America shall be called by the respective Board of Control in accordance with the regulations of Synod. At a meeting of the Board of Control held for the purpose of electing professors, associate professors, or, such administrative officers, or for the purpose of considering final action relevant to the suspension or the removal from office of such professors, associate professors, or administrative officers, there shall be present and voting as electors: The Board of Control as a group, with one vote (the President of the synodical District not voting with his Board of Control); the President of the synodical District in which the institution is located or his official representative; the President of Synod or his official representative; the chairman of the Board for Higher Education or his official representative. The President of the institution shall be present in an advisory capacity.

6.103 President of the Institution to Make Recommendations

The President of the institution, at such an election meeting of the Board of Control, shall present the needs of his institution in the light of his analysis of the local situation; the requirements of Synod and those of the regional accrediting agency involved; and the academic and personal qualifications of the candidates proposed. On the basis of such an analysis the President of the school shall make pertinent recommendations with regard to the choice of suitable personnel from the list of candidates.

6.105 Faculty Committee in Election of President

A faculty committee shall perform such

analytical functions and make the recommendations, in the event that a President is to be called for an institution.

6.107 Call for Nomination

The Board of Control of each institution, whenever a call is to be issued to fill an administrative position or professorship or associate professorship, shall issue a call for nomination of candidates therefore in the official publications of Synod, giving full particulars of the duties of the office and the qualifications required of its incumbent. Approval for filling vacancies must first be obtained from the Board for Higher Education.

6.109 Who May Nominate Candidates

Candidates for such positions may be nominated by congregations of Synod, the Board for Higher Education, the Board of Control, and the Faculty of the institution.

6.111 Experience of Candidates

Candidates for such positions, as a rule should have several years experience in the active ministry or parish school work. Associate professors or professors who are called to the faculties without having had experience in the ministry or parish school work shall be required, if they are seminary graduates, to gain such experience by assistant pastorates, summer field work, vacation Bible school, etc.

6.113 Publication of Names of Nominees

All nominations, together with recommendations and statement of qualifications, must be filed with the secretary of the Board of Control which has issued a call, within thirty days of its first publication, unless the call for nominations shall fix a later date. All such information shall be made available to the President of the institution. The secretary of the Board of Control

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shall thereupon publish the names of such nominees in the official publications of Synod and shall also state therein the date on which the election is to be held, which shall be not less than three weeks after the date of the publication of the names of the nominees. At the same time, copies of such notice shall be sent to the President of Synod and the Board for Higher Education.

6.115 Recommendations or Objections

Additional recommendations and statements of qualifications of any nominees, or objections to any nominee with reason therefore, must be filed with the secretary of the Board of Control before the time fixed for the election.

6.117 Election

The election shall be held on the day designated in the notice published in the official publications of Synod; and after due consideration of the recommendations and statements of qualification submitted on behalf of any candidate, or objections to any candidate, there shall be elected from among the candidates that person best qualified for the position to be filled, or the Board of Control shall be requested to issue a new call for candidates.

6.119 Publication of Election

The name of the person elected shall be published in the next issues of the official publications of Synod.

6.121 Formal Call

The Board of Control of the institution shall extend the formal call promptly after the election.

6.123 Procedure if Call is Declined

Whenever a call is declined, the Chairman shallpromptly call another meeting of the electors, at which meeting the call may be reissued, or another person be elected from among the remaining candidates, or the Board of Control be requested to issue a new call for candidates.

6.125 Synod Reserves Authority to Create and Abolish Professorships, etc.

Synod reserves the power to create or abolish any administrative or teaching position at its educational institutions, determine the manner of filling the same, specify the required qualifications therefore, and designate the status of their incumbents, or delegate any or all of these powers to any of its boards or agencies, or revoke the same, notwithstanding any provisions in any of the foregoing or succeeding sections.

6.127 Appointment to Positions Not Requiring a Call

The Board of Control of each institution, under the supervision of the Board for Higher Education and with its approval, shall appoint the necessary administrative officials or teachers not required to be called, or whose election or appointment has not been proved for otherwise, and shall fix their tenure of service.

APPENDIX B

HANDBOOK OF THE LUTHERAN CHURCH - MISSOURI SYNOD
1950 EDITION
CHANGES AS COMPARED TO THE 1947 EDITION: CHANGES INCLUDE ADDITIONS, DELETIONS, AND SUBSTANTIVE CHANGES WITHIN EXISTING PARAGRAPHS AND SUBPOINTS OF MAJOR PARAGRAPHS

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HANDBOOK OF THE LUTHERAN CHURCH - MISSOURI SYNOD
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6.07 Duties

c. study the curricula in operation at each of the educational institutions of Synod to determine whether these are adequate to carry out the synodically prescribed purposes of the school; assure itself that the policies and standards pursued at the institution are in harmony with the synodically prescribed purposes of the school; direct the institution to take appropriate corrective measures where changes and improvements are necessary to bring the school into harmony with synodically prescribed objectives;

j. be responsible to the Board of Directors for the general supervision of maintenance and repair of Synod's educational properties and for the discharge by the Board of Control of their responsibility for the condition of the physical property of their institutions;

k. convey its recommendations to the Board of Directors in all matters relating to purchase, lease, rental, or construction of any building of Synod's colleges or seminaries;

l. make recommendations to the Board of Directors as to the order in which specific educational projects for which Synod has made appropriations shall be carried out.

6.13 Other Meetings

The Board for Higher Education shall be authorized to convene selected faculties or faculty members or administrators or other educational personnel for conferences which are in the mutual interest of the educational program of Synod and the individual colleges and seminaries. Funds for such purposes shall be included as estimates in the annual budget proposed for administrative purposes by the Board for Higher Education and subject to authorization by the Fiscal Conference.

6.37 Relation to Synod and Legal Capacity

a. Each Board of Control shall operate and manage its institution as the agent of Synod, in which ownership is primarily vested and which exercises its control through the Board of Directors as custodians of Synod's property, the Board for Higher Education, and the respective Board of Control. All matters which according to synodical regulations require the attention of any board, agency, or officer of Synod shall be submitted to the Board for Higher Education for reference to the appropriate board, agency, or officer.

6.39 General Functions and Duties

b. The Board of Control shall be responsible for the condition of the physical property of its respective institution and shall operate, manage, control, and supervise the property, grounds, building, and equipment, and maintain the same in good repair and efficiency. It shall submit reports regarding property and maintenance at regular intervals, or upon request, to the Board for Higher Education for reference to the Board of Directors as custodians of Synod's property.

C. TEACHING STAFF AND FACULTY

6.51 Members of Teaching Staff

The teaching staff of each educational institution of Synod, except the theological seminaries, shall be composed of all those administrative officials and teachers who are called by the electors or who are appointed by the Board of Control. Five classifications shall receive official recognition.

a. Student Assistants: They shall be appointed by the Board of Control upon recommendation by the President of the institution and shall be recruited primarily from the ranks of the undergraduate and graduate students of the seminaries and the teachers' colleges. The original appointment shall be for one year and may be renewed by the Board of Control for a second year. Extension of the appointment beyond two years shall require the consent of the Board for Higher Education.

b. Instructor: They shall be appointed by the Board of Control upon recommendation by the President of the institution. Such Appointment shall be for two-year terms and may be renewed in the manner prescribed for the original appointment. If reappointment is not contemplated, Boards of Control shall so notify instructors six months prior to expiration of the current appointment and upon their request file the name of such instructors with the Board for Higher Education for listing on the Board's roster of available instructors. Upon completion of satisfactory teaching experience as well as adjustment of any requisite academic, professional, ministerial, or parish school work, instructors shall be eligible for calls to associate professorships or professorships in any of Synod's preparatory colleges, teachers' colleges, or theological seminaries. Instructors may be advanced to the rank of assistant professors by the local Board of Control with the consent of the Board for Higher Education without a call. Business managers, assistant librarians, physical education directors, athletic coaches, or other permanent staff personnel, not requiring theological training or ministerial experience may hold the rank of instructor or assistant professor.

c. Assistant Professors: This classification shall be related to the faculty and to the administration of the institution in a manner identical with the relationship established for instructors, except in the following matters:

1. The tenure of an appointment to an assistant professorship shall be four years.

2. Separate salary schedules shall apply to assistant professors.

3. If there is no intent to renew the appointment, notice of the fact shall be conveyed to the personnel involved no later then one year prior to the date of termination of the current appointment.

d. Associate Professors: They shall be nominated, elected, and called in accordance with the synodical regulations governing the nomination, the election, and the eligibility of professors. The position of associate professor shall involve permanent tenure, terminable under conditions identical with those governing the tenure of professors. Associate professors shall be related to the administration of the institution in a manner identical with the relationship established for professors, except in matters of salary. Associate professors may be advanced to the rank of professors by the local Board of Control with the consent of the Board for Higher Education without extending a new call.

e. Professors: They shall be nominated, elected, and called primarily from the ranks of associate professors in accordance with the synodical regulations governing nomination, election, and calling of professors. This position involves permanent tenure and increased salary.

6.52 Members of Teaching Staff at Seminaries

At the theological seminaries the teaching staff shall be composed of those administrative officials and teachers who are called by the electors or who are appointed by the Board of Control. Four classifications shall receive recognition.

a. Fellows. They shall be appointed by the Board of Control upon recommendation of the President of the institution and shall be recruited primarily from the ranks of the graduate students. The original appointment shall be for one year and may be renewed by the Board of Control for a second year. There shall be no additional appointments beyond the second year for fellows. Each fellow shall be placed under the direct supervision of an individual professor and shall at the same time be enrolled as resident student in the graduate school. Personnel in this classification shall not participate in faculty meetings, or shall such personnel hold any administrative office in the institution.

b. Instructors. They shall be appointed by the Board of Control. Such appointment shall be for two-year terms and may be renewed in the manner prescribed for the original appointment. Whenever an appointment to an instructorship is contemplated, the President of the institution shall make the recommendation to the Board of Control;however, at a time sufficiently prior to final notification of appointment, the names and qualifications of persons proposed for appointment to seminary instructorships shall be submitted to the entire membership of the electoral board, as constituted in Section 6.101 of the Handbook, so that there will be an opportunity for such members to express any possible dissent. There shall be no restriction on the number of reappointments which may be offered to an instructor; however, if reappointment is not contemplated, the Board of Control shall so notify the instructor six months prior to the expiration of the current appointment. Instructors shall be held to attend regular faculty meetings as advisory members upon the call of the President. They shall not be entitled to vote.

c. Special Lecturers. They shall be appointed for specified series of lectures or as assistants in specified courses by the Board of Control upon recommendation of the President. The original appointment shall not exceed one semester in tenure and may be renewed only once. Extension of tenure beyond a total of two semesters shall require the prior consent of the Board for Higher Education. Special lecturers shall be ranked as visiting instructors and shall not, accordingly, participate in faculty meetings or in any administrative activity.

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d. Professors. They shall be nominated, elected, and called in accordance with the synodical regulations governing nomination, election, and calling of professors as prescribed in Section E. of the Handbook, under the heading "Elections."

e. At the theological seminaries the following administrative positions may be created and filled by the local Board of Control with the prior consent of the Board for Higher Education: academic dean, dean of men, dean of the graduate school, dean of the school of missions, dean of correspondence school, registrar (if he does functions as admissions officer), librarian, and placement officer. Appointments to these executive positions are to be made or terminated by the Board of Control upon recommendation of the President of the institution. Under ordinary circumstances all suchadministrative officers will also carry a partial teaching load. All these administrative offices at the theological seminaries are to be held only by called personnel, with the faculty rank of professor.

6.53 Members of Faculty

The faculty of each educational institution of Synod shall be composed of the President of the institution, the professors, associate professors, and all those administrative officials who are called by the Board of Control in accordance with the regulations hereinafter prescribed. Instructors and assistant professors shall hold advisory membership in the faculty. In matters relating to doctrine or establishment of policy, only the called members of a faculty and administration are entitled to vote.

6.63 Curricula

The faculty of each educational institution shall construct curricula conforming to the synodically recognized and prescribed purposes of the institution. Upon approval by the respective Board of Control, they shall be submitted to the Board for Higher Education. After study and approval by this Board, the curricula shall be put into operation.

6.115 Recommendations or Objections

Additional recommendations and statements of qualifications of any nominees, or objections to any nominee with reasons therefor, must be filed with the secretary of the Board of Control before the time fixed for the election. In the event that the charge of false doctrine or offensive life is registered, the Board of Electors shall investigate and reach a decision on such charge before proceeding with the election.

APPENDIX C

HANDBOOK OF THE LUTHERAN CHURCH - MISSOURI SYNOD

1953 EDITION

CHANGES AS COMPARED TO THE 1950 EDITION: CHANGES INCLUDE ADDITIONS, DELETIONS, AND SUBSTANTIVE CHANGES WITHIN EXISTING PARAGRAPHS AND SUBPOINTS OF MAJOR PARAGRAPHS

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6.07 Duties

The Board for Higher Education, in carrying out its functions, shall:

a. supervise the execution of all rules, regulations, and resolutions of Synod relating to its educational system or its institution;

b. determine, direct, and supervise, within the intent and resolutions of Synod, the educational and administrative standards, policies, and procedures of Synod's educational system and institutions;

c. prescribe such admission, transfer, and enrollment policies are are required in the interest of effective educational procedures, as are in harmony with Synod's objectives of ministerial and teacher training, and commensurate with the purpose and capacity of the individual institutions and of the theological seminaries;

d. (cf., c. - 1950 Edition)

e. (cf., d. - 1950 Edition)

f. (cf., e. - 1950 Edition)

g. engage an Executive Secretary and an Assistant Executive Secretary, subject to the approval of the President of Synod, determine the qualifications of their respective offices, and prescribe their duties and functions;

h. engage such additional clerical and professional help as may be necessary;

i. gather, prepare, and maintain records and details of scholastic attainments, academic qualifications, and relevant data concerning persons qualified to teach at the educational institutions of Synod. It shall make available all such records and data to the Boards of Control of Synod's educational institutions and to persons who are authorized to participate in calling or otherwise engaging personnel for the teaching staffs of such educational institutions;

j. be responsible to the Board of Directors for matters relating to planning, locating, and constructing educational facilities as well as for general supervision of maintenance and repair of Synod's educational properties and for discharge by each Board of Control of its responsibilities in constructing or maintaining the physical properties of its institution, except that the Board of Directors is directly responsible for all legal aspects of such operations.

k. (cf., k. - 1950 Edition)

m. Gather and make available application forms, statistical data, and other pertinent material relative to the Student Aid Programs of the Districts, and encourage and assist the Districts to obtain uniformity in the policies and practical administration of these programs.

n. have such other additional powers, duties, and jurisdiction as may from time to time be prescribed and authorized by resolution of Synod.

B. BOARDS OF CONTROL

6.21 Election by Synod

a. A Board of Control for each of Synod's educational institutions shall be elected by Synod to provide effective local administration organization, to facilitate the achievement of the purposes for which the respective institution is maintained, and to safeguard the financial, academic, and religious interest of Synod in such institutions.

b. The District President, who is a member ex officio, is elected by his District for a three-year term of office. All other members of the Board of Control shall be elected for a term of six years.

c. The election of the Board members shall be so arranged that at each triennial convention the terms of one half of the members shall expire.

6.37 Relation to Synod and Legal Capacity

d. Each Board of Control of an institution, or the body corporate thereof, shall let all contracts and assume all financial obligations and contractual responsibilities in the name of its respective institution and shall supervise and control the execution thereof under the direction of the Board for Higher Education, which is responsible to the Board of Directors of Synod for the discharge by each Board of Control of its responsibilities in these operations, except that the Board of Directors is at all times directly responsible for all legal aspects of such operations.

C. TEACHING STAFF AND FACULTY

6.51 Members of Teaching Staff

b. Instructors: (add to the previous paragraph the following three lines - section a., 1950 Edition . . . Such personnel is eligible for a call to higher faculty rank if the qualifications for such a position have been met).

6.53 Members of Faculty

The faculty of each educational institution of Synod shall be composed of the President of the institution, the professors, associate professors, and all those administrative officials who are called by the Board of Control in accordance with the regulations hereinafter prescribed. Instructors and assistant professors shall hold advisory membership in the faculty. In matters relating to doctrine or establishment of policy, only the called members of a faculty and administration are entitled to vote. After five years of service, instructors and assistant professors at the colleges may be granted full voting privileges by a majority vote of the faculty.

6.54 Consent for New Appointments

All new appointments to the teaching staff of a synodical college are subject to the consent of the Board for Higher Education.

6.61 Standards for Students

(Only the heading for this section changed from the 1950 Handbook)

6.62 Placement Policies

All institutions which train professional workers for service in Synod shall conform placement policies to the synodical provisions for distribution of candidates for the ministry and teaching profession.

6.69 Grants for Advanced Study

The Boards of Control of Synod's colleges and seminaries shall recommend subsidies for university study by faculty personnel when such additional study is made mandatory or desirable by local circumstances beyond the control of the faculty personnel involved (e.g., addition of courses, request to assist in library, guidance work, requirements to achieving accreditation, requirements of maintaining accreditation, additions which Synodrequired the school to make to its program, etc.). Such recommendations are to become effective upon review and approval by the Board for Higher Education.

6.117 Elections

The election shall be held on the day designated in the notice published in the official publication of Synod or as soon thereafter as feasible; and after due consideration of the recommendations and statements of qualifications submitted on behalf of all nominees, or objections to any, there shall be elected from the list of candidates as originally proposed by the President or as amended by him after mutual consent with the elector, as the case may be, the person best qualified for the position to be filled, or the Board of Control shall be requested by the electors to postpone the election or to issue a new call for candidates as conditions may indicate. All elections shall be conducted with due regard for the welfare of other institutions and agencies of Synod.

APPENDIX D

HANDBOOK OF THE LUTHERAN CHURCH - MISSOURI SYNOD
1956 EDITION
CHANGES AS COMPARED TO THE 1953 EDITION: CHANGES INCLUDE ADDITIONS, DELETIONS, AND SUBSTANTIVE CHANGES WITHIN EXISTING PARAGRAPHS AND SUBPOINTS OF MAJOR PARAGRAPHS

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APPENDIX D

HANDBOOK OF THE LUTHERAN CHURCH - MISSOURI SYNOD
1956 EDITION
CHANGES AS COMPARED TO THE 1953 EDITION: CHANGES INCLUDE ADDITIONS, DELETIONS, AND SUBSTANTIVE CHANGES WITHIN EXISTING PARAGRAPHS AND SUBPOINTS OF MAJOR PARAGRAPHS

6.07 Duties

n. shall develop plan and procedures for a Synod-wide recruitment of students for the ministry and teaching profession;

o. (the n. paragraph of the 1953 Edition becomes the o. paragraph of the 1956 Edition)

6.26 Personnel of Board for Concordia Seminary Springfield

The Board of Control of Concordia Seminary, Springfield, shall consist of the President of the synodical District in which the institution is located, or his representative, one pastor who is a voting member of Synod, and three laymen who are members of congregations of Synod and who reside within reasonable proximity of the institution. The President of the institution shall attend the meetings of the Board of Control in an advisory capacity.

6.51 Members of Teaching Staff

The teaching staff of each educational institution of Synod shall be composed of all those administrative officers and teachers who are called by the electors or who are appointed by the Board of Control. These classifications are provided:

a. Graduate Assistants: Upon recommendation of the President of the institution, the Board of Control shall appoint an approved number of graduate assistants recruited primarily from the ranks of current recent graduates of the seminaries and teachers colleges. The original appointment shall be for one year and may be renewed for a second year. Such personnel may also be classified as fellows and may at the same time be enrolled as resident students in the school for graduate studies.

b. Instructors: Upon recommendation of the President of the institution, the Board of Control shall appoint an approved number of instructors. Such appointments shall be for two-year terms and may be renewed in the manner prescribed for the original appointment. There shall be no restriction on the number of appointments which may be offered to an instructor; however, if reappointment is not contemplated, Boards of Control shall so notify instructors six months prior to expiration of the current appointment and upon their request file the name of such instructors with the Board for Higher Education for listing on the Board's roster of available instructors. Upon completion of satisfactory teaching experience as well as adjustment of any requisite academic, professional, ministerial, or parish school work, instructors shall be eligible for reappointment as assistant professors or for calls to associate professorships in any synodical institution, if the qualification of such a position have been met. After completing at least one term instructors may be advanced to the rank of assistant professor by the Board of Control with the prior consent of the Board for Higher Education, or they may be appointed to the staff of another synodical institution.

c. Assistant Professors: (c.f., corresponding section, 1953 Edition)

d. Associate Professors: They shall be chosen in accordance with the synodical regulations governing the nomination, the election, and the calling of associate professors. The position of accociate professor shall involve permanent tenure. Associate professors shall be related to the administration of the institution in a manner identical with the relationship established for professors except in matters of salary. Associate professors may be advanced to the rank of professors by the local Board of Control with the consent of the Board for Higher Education without extending a new call.

e. Professors: They shall be chosen in accordance with the synodical regulations governing the nomination, the election, and the calling of professors. This position involves permanent tenure and increased salary.

f. Substitute Teachers: Upon recommendation of the president of the institution, the Board of Control may appoint substitute teachers in extraordinary situations. The original appointments shall not exceed one semester in length and may be renewed once only without the prior consent of the Board for Higher Education.

6.52 Administrative Officers

a. Administrative positions may be created, modified, abolished, or have functions assigned to them by the Board of Control upon recommendation by the president of the institution. Such offices areto be made necessary by the functions assigned to the institution and appropriate to its size and internal organization. Appointments to these offices are to be for renewable terms. Ordinarily administrative officers are also to carry a partial teaching load.

b. Administrative appointments shall be made by the Board of Control upon recommendation by the President of the institution. The Board for Higher Education shall perodically review the internal administrative organization of Synod's institutions.

6.54 Approval of Staff Appointments

a. Full-time appointments to the teaching or administrative staff of a synodical institution are subject to the prior consent of the Board for Higher Education.

b. Appointments of part-time or of substitute teachers extending beyond one school year are subject to the prior consent of the Board for Higher Education.

c. Initial appointments of instructors or assistant professors at the theological seminaries are subject to the prior consent of their electoral boards.

6.59 Faculty Meetings and Faculty Organization

a. Each faculty shall meet at regular intervals and for special meetings and may arrange for general instructional staff meetings.

b. The president of the institution shall preside at these meetings. In his absence the faculty shall elect a temporary presiding officer. The faculty shall elect a secretary and the necessary standing and special committees. The standing committee shall study, evaluate, and report to the faculty on matters of academic and student life in the institution.

6.61 Institutional Educational Policies

Each faculty shall adopt rules and regulations for the admission, transfer, dismissal, or withdrawal of students, fix the standards of scholarship to be maintained by students, determine criteria for their promotion, graduation, or failure, act on recommendations in the matter of granting certificates, diplomas, and such academic or honorary degrees as may be conferred lawfully by the institution, review other policies for the academic and the student life of the institution. These rules, regulations, standards, criteria, and policies are to be subject to, and consistent with, such standards and policies as Synod may authorize the Board for Higher Education to develop. Such rules, regulations, standards, criteria, and policies are to be administered and applied by the administrative officers of the institution.

6.71 Sabbatical Leave and Leave of Absence

a. The Board of Control, with approval of the Board for Higher Education, may grant any member of the institutional staff who has served ten years at a synodical institution a sabbatical leave for one semester with pay or for two consecutive semesters with half pay, to pursue advanced studies in his special field of work, or any other acceptable program of experience or research.

b. The Board of Control, with approval of the Board for Higher Education, may grant any member of the instructional staff a leave of absence for a fixed period of time, to pursue advanced studies in his special field of work or to render particular service to Synod at large or to any of its agencies. Time so spent on a special leave shall ordinarily not be accumulated toward a subsequent sabbatical leave. Budgetary provisions shall be arranged in advance by the boards and agencies involved.

6.91 Authority and Duties

d. He shall be the academic head of the faculty and preside at its meetings. He shall be an ex officio member of the standing committees of the faculty and of its instructional divisions or departments.

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APPENDIX E

HANDBOOK OF THE LUTHERAN CHURCH - MISSOURI SYNOD

1959 EDITION

CHANGES AS COMPARED TO THE 1956 EDITION:
CHANGES INCLUDE ADDITIONS, DELETIONS, AND SUBSTANTIVE CHANGES WITHIN EXISTING PARAGRAPHS AND SUBPOINTS OR MAJOR PARAGRAPHS

APPENDIX E

HANDBOOK OF THE LUTHERAN CHURCH - MISSOURI SYNOD
1959 EDITION
CHANGES AS COMPARED TO THE 1956 EDITION: CHANGES INCLUDE ADDITIONS, DELETIONS, AND SUBSTANTIVE CHANGES WITHIN EXISTING PARAGRAPHS AND SUBPOINTS OF MAJOR PARAGRAPHS

6.07 Duties

c. prescribe such student admission and transfer standards as are required in the interest of effective educational procedures and are in harmony with Synod's objectives of professional training and commensurate with the purposes and capacities of the individual institutions;

f. provide for visits to the institutions and require stated reports from the boards of control, the presidents, and the faculties;

g. assess its need for professional staff, prescribe duties and functions to each position, determine the qualifications necessary to fill the respective offices, and with the approval of the President of Synod, engage the necessary personnel;

o. provide professional guidance in co-operation with the synodical Board of Parish Education to area Lutheran high school's associations and to community Lutheran high schools;

p. (cf., o. - 1956 Edition)

B. BOARDS OF CONTROL

6.21 Purpose of Boards of Control

Synod administers each educational institution of Synod through a Board of Control, which is to provide effective local administrative organization, to facilitate the achievement of the purposes forwhich Synod operates and maintains the respective institution, and to foster and safeguard its religious, academic, and financial interest in it.

6.23 Personnel of Boards of Control

Each Board of Control shall include:

a. The President of the District in which the synodical institution is located. He may designate a District Vice-President as his standing representative.

b. At least five and no more than nine members, as specified by the charter or corporate articles of the institution, who shall be elected at the conventions of Synod for terms of nine years, in such manner that one third of the members shall be elected at each convention of Synod. The elective members shall include:

1. one to three pastors
2. one or two teachers
3. three to five laymen

c. The President of Synod shall appoint a Vice-President of Synod to serve as a member of the Board of Control of each theological seminary.

6.25 Qualifications of Elective Members

a. Pastors elected to Boards of Control shall be voting members of Synod or advisory members of Synod who also hold membership in a voting congregation of Synod.

b. Teachers elected to Boards of Control shall be advisory members of Synod and hold membership in a voting congregation of Synod.

c. Laymen elected to Boards of Control shall be members of voting congregations of Synod.

d. Board membership shall be broadly representative of Synod and preferably should include representation from more than one synodical

District. Not more than two of the elective members shall be members of the same congregation.

e. Lay members of the Board of Control should be representative of various occupations.

f. Members of the Board of Control shall not be on the salaried staff of a synodical educational institution, nor shall they enter into gainful business contracts or relations with the institution.

6.27 Election of Elective Members

Elective members of the Boards of Control shall be nominated and elected in the following manner:

a. The Committee on Nominations shall solicit names of suitable candidates for the Board of Control of each educational institution of Synod and compile a list of candidates, in accordance with the provisions of Section 2.143 to 2.153 and Sections 6.23 and 6.25 of the Bylaws of Synod.

b. Each District shall designate from among its delegates to the convention of Synod a pastor and a layman who shall constitute an Electoral College which shall elect the required number of elective members for each Board of Control.

c. The President of Synod shall designate and announce an evening at a convenient time and place for the purpose of conducting the election by the Electoral College.

6.29 Vacancies

Boards of Control shall fill vacancies occurring in their elected membership, subject to the approval of the President of Synod.

(6.29 is word for word the same as Section 6.33, 1956 Edition)

6.31 The Board's Executive

The authority and responsibility of the Board of Control shall reside in the board as a whole. The board shall delegate the application of its policiesand the execution of its resolutions to the president of the institution as its executive officer.

6.33 Board of Control Meetings

a. The Board of Control shall meet at regular intervals. It shall meet at least five times each year, including special meetings.

b. The president of the institution shall attend Board of Control meetings in an advisory capacity. The president may, with the board's consent, occasionally ask other institutional officers to assist in reporting on special matters.

6.35 Board of Control Organization

a. Each Board of Control shall elect a chairman, a vice-chairman, a secretary, and any other officer whom its charter or corporate articles may require.

b. Each Board of Control may appoint necessary standing and special committees accountable to it.

6.37 Relation to Synod and Legal Capacity

e. The charter, articles of incorporation, or constitution and bylaws of each institution shall conform to, and be consistent with, those of Synod. Changes in them shall receive the prior consent of the Board for Higher Education and, where applicable in property and financial matters, of the Board of Directors.

6.39 General Functions and Duties

a. The Board of Control shall make certain that the work of the institution entrusted to its care is carried on effectively, in accordance with the theological and academic standards of Synod. To this end, it shall require regular and special reports from the president as its executive officer, orthrough him from other officers, instructional staff members, or employees of the institution, and through formal and informal tours of the campus and attendance at its activities.

b. The Board of Control shall be responsible for the educational program and shall see to it that the curriculum approved by the Board for Higher Education for the respective institution is followed.

c. The Board of Control shall be responsible for the general welfare of its instructional staff members and other employees, for their working conditions, and for the proper housing of instructional staff members. It shall adopt standards and regulations governing the off-campus activities of instructional staff members and other employees of the institution. It shall develop policies to include salary and wage scales, provisions for tenure, promotion, vacations, periodic health examinations, sick and service leaves, dismissal, retirement and pension, and other employee welfare and benefit provisions.

d. The Board of Control shall be responsible for the general welfare of the students of its institution, the adequacy of their housing and boarding facilities, the health services available to them, the appropriateness of the co-curricular activities, as well as the off-campus interests, activities, and employment of the students.

e. The Board of Control shall be responsible for the efficient business management of its institution, in accord with the system of accounting and business practices and records as may be prescribed by the Board for Higher Education in consultation with the Board of Directors. The board shall exercise its responsibilities in this area through a business manager appointed by it on recommendation of the president of the institution.

and responsible to him. The business manager shall keep accurate accounts of all moneys, goods, property, and assets entrusted to his care. He shall regularly deposit all moneys of the institution and its agencies in a bank or banks designated by the Board of Control, submit his books and records for inspection and audit, and for the faithful performance of his duties, furnish bond to Synod in such amount as shall be determined by the synodical Board of Directors and at its expense.

f. The Board of Control shall be responsible for the condition of the physical property of its respective institutions and shall operate, manage, control, and supervise the property, grounds buildings, and equipment, and keep them in good repair and efficiency. It shall submit reports regarding property and maintenance annually, or on request, to the Board for Higher Education for referral to the Board of Directors as custodians of Synod's property.

g. The Board of Control shall carefully supervise the collection and disbursement of all funds raised by students for student activities, as well as the funds derived from the college store and other agencies and sources.

6.53 The Faculty

a. The faculty of each synodical institution shallconsist of the president, the administrative officers holding instructional rank, and the regular instructional staff members.

b. Special lecturers and substitute teachers shall hold advisory membership on the faculty.

6.59 Faculty Organization and Meetings

a. Instructional staff size or special synodical responsibilities may lead to the organization of a faculty senate. The faculty senate shall consist of the president, the faculty members with tenure, and those administrative officers whom the Board of Control may designate.

b. Faculty and faculty senate meetings shall be held at regular intervals.

c. Special meetings of the faculty or of the faculty senate may be called by the President.

d. In the president's absence the designated acting president shall preside at regular and special meetings.

e. The faculty shall elect a secretary and necessary standing committees and may provide for special committees.

f. Standing committees shall study, evaluate, and report to the faculty on policy matters affecting the academic activity of the institution and the life and welfare of its students.

6.61 Institutional Educational Policies

a. Each faculty shall adopt rules and regulations for the admission, transfer, dismissal, or withdrawal of students, fix the standards of scholarship to be maintained by students, determine criteria for their promotion, graduation, or failure, act on recommendations in the matter of granting certificates, diplomas, and such academic or honorary degrees as may lawfully be conferred by the institution.

b. Each faculty shall develop and construct curricula implementing the recognized and established purposes of the institution and designed to attain the synodically approved objectives of training for professional church workers. Each faculty shall pursue the improvement of teaching and learning and the evaluation of their effectiveness in every segment of the institution and its curriculum.

c. Each faculty shall develop policies, standards, and programs for the out-of-class life and activity of its students so that the co-curricular and off-campus activities of the student contribute to the attainment of the educational objectives of the institution. The faculty shall draw up such standards, criteria, and regulations as will be conducive to the cultivation of a Christian deportment on the part of all students, will stimulate the creation of a cultured and academically challenging atmosphere on and about the whole campus, and will make a spiritually wholesome community life possible.

d. Each faculty shall develop policies, standards, and regulations that will contribute to the maintenance of wholesome conditions of instructional staff service and welfare.

e. The faculty of each institution which trains professional workers directly for service in Synod shall conform its placement policies to the synodical provisions for the distribution of candidates and workers through the synodical Board of Assignment.

6.63 Institutional Policy Formation

a. The regulations, standards, criteria, policies, programs, and curricula developed and adopted by each synodical faculty shall be submitted for approval to the respective Board of Control.

b. After approval, these regulations, standards, criteria, policies, programs,and curricula shall be administered and applied by the administrative officers of the institution.

c. The Board for Higher Education shall periodically review the institutional policies, programs, and curricula to determine whether they are consistent with the stated objectives of Synod's educational system and its institutions.

6.65 Evangelical Discipline and the Right of Appeal

The Board of Control and the faculty shall develop, formulate, promote, and foster ideals, standards, and criteria of personal conduct and of the community life of the campus worthy of the Christian calling and of ministers in training for the church. Each student, together with his parents and advisers, shall be informed regarding the disciplinary procedure and under what conditions and to whom an appeal may be made. Ordinarily the proper line of appeal proceeds from the student's counselors through the dean of students to the president of the institution.

6.79 Modified Service and Retirement

a. The president of a synodical institution may relinquish his presidential responsibilities at the end of the school year in which he attains the age of 60. He shall be relieved of his presidential responsibility at the end of the school year in which he reaches the age of 67.

b. Administrative officers of a synodical institution ordinarily shall not be reappointed to their positions after they reach the age of 65. Continued administrative service after that shall be on the basis of annual appointment.

c. Former presidents shall hold the rank of professor.

d. Faculty members may be honorably retired or transferred to modified service at the age of 65 and shall be so retired or transferred to modified service at the age of 72.

e. Service loads and conditions of service after 65 shall be modified according to individual capacity and shall be determined by the Board of Control in consultation with the Board for Higher Education.

6.83 Refusal to Co-operate, Willful Neglect, Unbecoming Conduct, False Doctrine

The Board of Control shall duly investigate all the facts and circumstances and shall refer its findings to the electors when a member of the administrative or teaching staff of any institution is to be formally charged with contumacious refusal to co-operate with the president and faculty of the institution and officers and boards of Synod to an extent that will injure or interfere with the purpose and objectives of the institution, or of willful neglect of official duties, or of conduct unbecoming a Christian, or of promulgation of and adherence to false doctrine. If the electors shall find such person guilty of the offense complained of, he shall be relieved of his office. His salary shall thereupon be discontinued, and he shall promptly vacate his residence if it is owned by Synod.

6.91 Authority and Duties

g. He may in his discretion request a member of the faculty to assume temporarily one or the other of his functions or the functions of some other member of the faculty and, with the consent of the Board of Control, may transfer functions permanently to a member of the faculty, who shall assume these functions (unless excused for valid reasons) and be responsible for them to the president.

i. He shall carefully watch over the spiritual welfare, personal life, conduct, educational progress, and physical condition of the students and in general exercise such Christian discipline, instruction, and supervision as may be expected at a Christian educational institution.

j. He shall be responsible for the employment, direction, and supervision of all employees of the institution.

k. He shall be responsible for the business management of the school and for the proper operation and maintenance of grounds, buildings , and equipment. He shall make periodic and special financial reports to the Board of Control.

6.93 Acting President

The Board of Control shall designate a

facultymember of the institution as acting president to serve in case of the president's absence, his temporary incapacity, or a vacancy in the office.

E. ELECTIONS

6.101 Electors

b. In the case of Synod's educational institutions in South America, the same procedure set forth in the preceding paragraph shall be followed, except that the chairman of the Board for World Missions, or his official representative, shall be one of the electors in the place and stead of the chairman of the Board for Higher Education of his official representative.

6.111 Statue and Parish Experience of Candidates

a. Candidates for teaching and administrative positions as associate professors and professors on Synod's instructional staffs shall be graduates of a synodical theological seminary or teachers college or have achieved the status of Lutheran pastor or teacher by colloquy or have acquired similar status in a church body in fellowship with Synod.

b. Candidates shall ordinarily have several years' experience in the active parish ministry or parish school work. When, exceptionally, associate professors or professors with no previous parish experience are called to the faculties, they shall be required, if they are seminary or teacher college graduates, to gain this experience by way of assistant pastorates or a program of equivalent parish experience approved by the Board of Control on recommendation of the president of the institution.

APPENDIX F

HANDBOOK OF THE LUTHERAN CHURCH - MISSOURI SYNOD
1962 EDITION
CHANGES AS COMPARED TO THE 1959 EDITION: CHANGES INCLUDE ADDITIONS, DELETIONS, AND SUBSTANTIVE CHANGES WITHIN EXISTING PARAGRAPHS AND SUBPOINTS OF MAJOR PARAGRAPHS

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6.03 Advisory Council

The presidents and acting presidents of the Synod's educational institutions in the United States and Canada shall constitute an Advisory Council, which shall meet at the call of the board.

6.27 Election of Elective Members

(Delete the introductory statement from 1959 and change paragraphs c. and d. as follows:

c. The chairman of the Convention Elections Committee shall convene the Electoral College at a time designated by the President of the Synod for the purpose of organizing itself and holding the election.

d. The members of the Board for Higher Education and its Advisory Council are authorized to attend the meetings of this Electoral College.

C. TEACHING STAFF AND FACULTY

6.51 The Faculty

a. The faculty of each synodical institution shall consist of the president, the administrative officers holding instructional rank, and the regular instructional staff members.

b. Special lecturers and substitute teachers shall hold advisory membership on the faculty. (Appeared as 6.53 in the 1959 Edition)

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6.53 Members of Teaching Staff

The following classification of the faculties of synodical institutions are provided:

a. Graduate Assistants: The Board of Control, on recommendation of the president of the institution, shall appoint an approved number of graduate assistants recruited primarily from the ranks of current recent graduates of the seminaries and teachers colleges. The original appointment shall be for one year and may be renewed for one-year terms if the appointee is enrolled as a resident student in a formal program of graduate studies.

b. Instructors: The Board of Control, on recommendation of the president of the institution, shall appoint an approved number of instructors for two-year terms. The original appointment may be renewed more than once. After completing at least one full term, instructors may be advanced to the rank of assistant professor by the Board of Control with the prior consent of the Board for Higher Education, or they may be appointed to the staff of another synodical institution. If reappointment to the teaching staff is not contemplated in a particular case, the Board of Control shall so notify the instructor, through the president, six months prior to the expiration of the current appointment.

c. Assistant Professors: The Board of Control, on recommendation of the president of the institution, shall appoint an approved number of assistant professors. The period of appointment shall be four years. If there is no intent to renew the appointment, the Board of Control shall convey notice in writing, to the person invovled, through the president, at least six months prior to the date of expiration of the current appointment.

d. Associate Professors: Associate professors shall be chosen in accordance with the synodical regulations. They shall have permanent tenure.

e. Professors: Associate professors may be advanced to the rank of professor by the Board of Control on the recommendation of the president of the institution and with the consent of the Board for Higher Education. Qualified persons not on the teaching staff of a given school may be called as professor according to synodical regulations. Professors shall have permanent tenure.

f. Substitute Teachers: The Board of Control, on recommendation of the president of the institution may appoint substitute teachers in extraordinary situation. The original appointment shall not exceed one academic term in length and may be renewed once only without the prior consent of the Board for Higher Education.

g. Visiting Professors: A faculty member with tenure at one synodical institution may be appointed as a visiting professor on another synodical faculty for renewable terms of one or two years without loss of tenure, with the approval of the Board for Higher Education and the consent of both Boards of Control.

h. Criteria for Appointment; From time to time the Board for Higher Education shall issue general statements of selection criteria and criteria for differentiation in rank, based on academic professional, ministerial, or other applicable qualifications and achievement levels. Appointments of elections proposed to Boards of Control shall be in accordance with these criteria.

6.54 Approval of Staff Appointments

d. The Board of Control of each institution, with the approval of the Board for Higher Education, shall appoint the necessary administrative officials or employees whose election or appointment is not provided for otherwise and shall fix the conditions of their synodical service.

6.55 Ranking of Members of Staff

The Board of Control of each institution, with the approval of the Board for Higher Education, shall determine the work assignment and rank of members of the faculty and of the administrative officers according to synodical regulations. It shall fix their salaries according to the salary schedules established from time to time by the Board of Directors on recommendation of the Board for Higher Education.

6.57 Salary Schedules

The salary schedules of all institutional employees shall be fixed by the Board of Directors on recommendation of the Board for Higher Education.

6.65 Evangelical Discipline and the Right of Appeal

a. Each faculty shall develop, formulate, promote, and foster ideals, standards, and criteria of personal conduct and of the community life of the campus worthy of the Christian calling and of ministers in training for the church.

b. Each Board of Control on recommendation of the faculty, shall adopt a comprehensive policy statement committing the school and its officers to the principles of Christian discipline, evangelical dealing, and good order governing the students individually and collectively.

c. Each student, together with his parents and advisers, shall be informed regarding the disciplinary policy and procedure and under what conditions and to whom an appeal from a disciplinary decision may be made. The proper line of appeal proceeds from the student and his faculty counselor through the dean of students to the president as chief executive of the institution.

6.73 Exchanges and Transfers

a. A faculty member with permanent tenure on one synodical campus may be appointed as exchange professor on another synodical campus in exchange for the services of a colleague to his school for a period of one year with the two Boards of Control concurring.

b. A faculty member with permanent tenure may be transferred from one synodical faculty to another at the same rank, with the two Boards of Control, the Board for Higher Education, and the faculty member all concurring.

6.75 Controversies Among Faculty Members

Controversies and disagreements among members of the faculty (other than those set forth in 6.81) shall be submitted to the president of the institution for mediation. If this proves unsuccessful, he shall report the matter to the Board of Control for arbitration. After hearing the parties the board will render its decision, which shall be final. A record of the proceedings shall be filed with the Board for Higher Education.

6.77 Termination of Tenure

Permanent tenure may be terminated for the following causes only:

a. acceptance of another call
b. retirement
c. resignation
d. incompetency
e. incapacity
f. refusal to cooperate
g. neglect of office
h. conduct unbecoming a Christian
i. adherence to false doctrine

6.79 Modified Service and Retirement

a. The president of a synodical institution may be honorably retired from his presidential responsibilities at the end of the school year in which he attains the age of 60, or after 15 years of service as president at the same school.

He shall be relieved of his presidential responsibility at the end of the school year in which he reaches the age of 65.

d. Faculty members may be honorably retired or transferred to modified service at the age of 65 or any year thereafter and shall be retired at the age of 75.

6.83 Removal from Office

The Board of Control shall duly investigate all the facts and circumstances and shall refer its findings to the Board for Higher Education when a member of the administrative or teaching staff of any institution is to be formally charged with contumacious refusal to cooperate with the president and faculty of the institution and officers and boards of the Synod to an extent that will injure or interfere with the purpose and objectives of the institution, or with willful neglect of official duties, or with conduct unbecoming a Christian, or with promulgation of and adherence to false doctrine. If the Board for Higher Education concurs in the findings, it shall make necessary recommendations to the District President, who is to proceed according to Sections 5.23 ff.

6.91 Authority and Duties

f. He shall advise and admonish in a fraternal spirit any member of the faculty found dilatory, neglectful, or inefficient in his duties. Should this action prove ineffective, he shall request selected members of the faculty privately to engage their colleague in further fraternal discussion. If this results in failure to correct or improve the situation, the president shall report the matter to the Board of Control with his recommendations for action.

g. He may, in his efforts to devise the most effective administrative structure for the institution, delegate one or more of his functions to a member of the faculty or may assign previously delegated functions to another faculty member. Standing administrative assignments shall be made by the Board of Control on his recommendation.

E. ELECTIONS

6.101 Call for Nominations

The Board of Control of each institution shall issue, in the official publications of the Synod, a call for the nomination of candidates whenever a professorship or associate professorship is to be filled. The call for nominations shall describe the office and the qualifications desired to fill it. Approval for filling vacancies must first be obtained from the Board for Higher Education.

6.103 Who May Nominate Candidates

(cf., 6.109 - 1959 Handbook)

6.105 Status and Parish Experience of Candidates

(cf., 6.111 - 1959 Handbook)

6.107 Publication of Names of Nominees

(cf., 6.113 - 1959 Handbook)

6.109 Recommendations or Objections

(cf., 6.115 - 1959 Handbook)

6.111 President of the Institution to Make Recommendations

(cf., 6.103 - 1959 Handbook)

6.113 Faculty Committee in Election of President

(cf., 6.105 - 1959 Handbook)

6.115 Electors for Calls

a. The synodical Board of Control shall

issue authorized calls to faculty service on behalf of the Synod and in accord with its regulations.

b. At a meeting of the Board of Control held to issue calls to permanent tenure, there shall be present and voting as electors: the members of the Board of Control as a group with one vote, the President of the synodical District or his official representative with a distinct vote, the synodical president or his official representative with one vote, and the chairman of the Board for Higher Education or his official representative with one vote. The president of the institution shall be present in an advisory capacity.

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APPENDIX G

HANDBOOK OF THE LUTHERAN CHURCH -
MISSOURI SYNOD
1965 EDITION
CHANGES AS COMPARED TO THE 1962 EDITION:
CHANGES INCLUDE ADDITIONS, DELETIONS, AND
SUBSTANTIVE CHANGES WITHIN EXISTING PARAGRAPHS AND SUBPOINTS OF MAJOR PARAGRAPHS

APPENDIX G

HANDBOOK OF THE LUTHERAN CHURCH - MISSOURI SYNOD
1965 EDITION
CHANGES AS COMPARED TO THE 1962 EDITION: CHANGES INCLUDED ADDITIONS, DELETIONS, AND SUBSTANTIVE CHANGES WITHIN EXISTING PARAGRAPHS AND SUBPOINTS OF MAJOR PARAGRAPHS

6.01 Personnel and Election

A Board for Higher Education consisting of three pastors, one teacher or superintendent of Christian day schools, and three laymen shall be appointed by the President of the Synod subject to the approval of the Council of Presidents. Vacancies shall be filled in the same manner.

6.03 Functions of Board

The board shall strive to maintain the educational institutions of the Synod at a high level of efficiency and through their respective Boards of Control and faculties generally promote, improve, supervise, and direct adequate education for the preparation of tis ministers and teachers, and assist, encourage, and advise with regard to means and objectives of higher Christian education, always keeping in mind the specific religious, spiritual and professional ideals and objectives of our whole educational system.

6.05 Duties

(cf., 6.07 - 1962 Edition)

6.07 Advisory Council

(cf., 6.03 - 1962 Edition)

6.13 Other Meetings

The Board for Higher Education shall be

authorized to convene selected faculties or faculty members or administrators or other educational personnel for conferences which are in the mutual interest of the educational program of the Synod and the individual colleges and seminaries. Funds for such purposes shall be included as estimates in the annual work program proposed for administrative purposes by the Board for Higher Education.

6.53 Members of Teaching Staff

c. Assistant Professors: The Board of Control, on recommendation of the president of the institution, shall appoint assistant professors. The period of appointment shall be 4 years. If there is no intent to renew the appointment, the Board of Control shall convey notice in writing, to the person involved, through the president, at least 6 months prior to the date of expiration of the current appointment. The Board of Control, on recommendation of the president, shall grant tenure to an assistant professor within 8 years of the initial appointment to a synodical institution of convey notice in writing that tenure will not be granted.

d. Associate Professors and Professors: Assistant professors with tenure and associate professors may be advanced in rank by the Board of Control on recommendation of the president of the institution and with the prior consent of the Board for Higher Education. Associate professors and professors shall have tenure.

e. Call with Tenure: Qualified persons not on the teaching staff of a given school may be called with tenure according to synodical regulations (6.73, 6.101-6.129).

f. Eligibility for Tenure: Ordinarily candidates for teaching positions with tenure on the Synod's instructional staffs shall be graduates of a theological seminary or teachers college affiliated with the Synod or have achieved the status of Lutheran pastor or teacher by colloquy or have acquired similar status in a church body in fellowship with the Synod.

g. Substitute Teachers: (cf., 6.53, f., 1962 Edition).

h. Visiting Professors: (cf., 6.53, g., 1962 Edition).

i. Lay Members on Teaching Staff: In the case of lay members of congregations affiliated with the Synod who have served on the faculty of one or more synodical schools for at least 8 years, the Board of Control may make occasional excepttions to the policy stated above (6.53f.), on recommendation of the president of the institution, with the prior consent of the Board for Higher Education, and with the concurrence of the President of the Synod and the president of the synodical District in which the school is located. The procedure outlined in 6.54d shall be followed.

j. Criteria for Appointment: (cf., 6.53, h., 1962 Edition).

6.54 Approval of Staff Appointments

a. Initial appointments, without tenure, to the theological seminaries are subject to the prior consent of their electoral boards.

b. All other initial appointments, without tenure to the teaching staff of a synodical institution for full-time service are subject to the prior approval of the Board for Higher Education and the District President of the candidate.

c. Appointments of part-time or of substitute teachers extending beyond one school year are subject to the prior consent of the Board for Higher Education.

d. The Board of Control, on recommendation of the president of the institution and with the approval of the Board for Higher Education, may nominate an eligible assistant professor for tenure.

By a procedure satisfactory to the electors they may grant tenure to the candidate 4 weeks after his name has been published in the official publications of the Synod.

e. (cf., 6.54, d., 1962 Edition)

6.81 Incompetency or Incapacity

A Board of Control, after due investigation of the facts and circumstances and after consultation with the Board for Higher Education, may relieve of his office any member of the administration or teaching staff who is manifestly and demonstrably incompetent or incapacitated for the successful performance of his duties because of physical, mental, or emotional disabilities.

6.83 Removal from Office

. . . who is to proceed according to Section 5.31ff.

6.105 Status and Parish Experience of Candidates

a. Candidates for teaching and administrative positions as associate professors and professors on the Synod's instructional staffs shall have the same qualifications as described for the status of personnel with tenure (6.53f.).

6.125 Authority to Create and Abolish Professorships, etc.

The Board for Higher Education shall establish the number of teaching positions as each institution. However, the Synod continues to reserve the power to create or to abolish any administrative or teaching position at its educational institution, determine the manner of filling such a position, specify the required qualifications therefor, and designate the status of an incumbent; or to delegate any or all of these powers to any of its boards or agencies; or to revoke these powers, notwithstanding any provisions in any of the foregoing or succeeding sections.

6.129 Names of Possible Candidates

Members of the Synod are encouraged to submit to the Board for Higher Education the names of possible candidates for teaching positions in synodical schools.

APPENDIX H

HANDBOOK OF THE LUTHERAN CHURCH - MISSOURI SYNOD
1967 EDITION
CHANGES AS COMPARED TO THE 1965 EDITION: CHANGES INCLUDE ADDITIONS, DELETIONS, AND SUBSTANTIVE CHANGES WITHIN EXISTING PARAGRAPHS AND SUBPOINTS OR MAJOR PARAGRAPHS

APPENDIX H

HANDBOOK OF THE LUTHERAN CHURCH - MISSOURI SYNOD

1967 EDITION

CHANGES AS COMPARED TO THE 1965 EDITION: CHANGES INCLUDE ADDITIONS, DELETIONS, AND SUBSTANTIVE CHANGES WITHIN EXISTING PARAGRAPHS AND SUBPOINTS OR MAJOR PARAGRAPHS

6.25 Qualifications of Elective Members

a. Pastors elected to Boards of Control shall be members of the Synod and shall hold membership in a member congregation of the Synod.

6.37 Relation to the Synod and Legal Capacity

f. The Board of Control shall have no power to close its institution or to sell any part of the property which constitutes the main campus of such institution, such power being reserved to the Synod itself in convention.

6.54 Approval of Staff Appointments

(cf., e., 1965 Edition - deleted)

6.67 Experience in Practical Church Work

(cf., entire section - deleted)

APPENDIX I

HANDBOOK OF THE LUTHERAN CHURCH - MISSOURI SYNOD
1969 EDITION

CHANGES AS COMPARED TO THE 1967 EDITION:
CHANGES INCLUDE ADDITIONS, DELETIONS, AND SUBSTANTIVE CHANGES WITHIN EXISTING PARAGRAPH AND SUBPOINTS OR MAJOR PARAGRAPHS

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APPENDIX I

HANDBOOK OF THE LUTHERAN CHURCH - MISSOURI SYNOD
1969 EDITION

CHANGES ARE COMPARED TO THE 1967 EDITION: CHANGES INCLUDE ADDITIONS, DELETIONS, AND SUBSTANTIVE CHANGES WITHIN EXISTING PARAGRAPHS AND SUBPOINTS OR MAJOR PARAGRAPHS

6.05 Duties

p. have authority, after receiving the consent of the Boards of Control of the colleges involved and with the approval of the synodical Board of Directors and the Council of Presidents, to consolidate colleges to the extent required by the church's professional needs and by its financial condition;

q. have discretionary authority to assign specialized and graduate programs to appropriate schools in such a way that unnecessary duplication is avoided and that any existing unnecessary duplication is ended; without, however, altering or extending the synodically assigned purpose of the schools involved;

r. have authority with the approval of the Board of Directors of the Synod, the Council of Presidents, and the local Board of Control, to grant approval and to permit development of such careful prepared 4-year programs as serve the purpose of the church and are economically defensible;

s. have such additional powers, duties, and jurisdiction as may from time to time be prescribed and authorized by resolution of the Synod.

6.11 Meetings with the Faculties (Deleted)

6.25 Qualifications of Elective Members

f. Members of the Board of Control shall not be on the salaried staff of a synodical educational institution.

6.26 Prohibition of Conflict of Interest

Members of a Board of Control shall not enter into gainful contracts or transactions with the institution.

6.27 Election of Elective Members

a. The Committee for Convention Nominations shall solicit names of suitable candidates for the Board of Control of each educational institution of the Synod and compile a list of candidates in accordance with the specific provisions of Section 2.147 and Section 6.23 and 6.25 of the Bylaws of the Synod.

b. The required number of elective members for each Board of Control shall be elected by the voting delegates to the convention.

6.39 General Functions and Duties

h. The Board of Control may appoint, or cause to be appointed or elected, standing or special committees consisting of its members or of any other persons qualified to participate in the designated activity of the committee.

6.53 Appointments of Members of the Faculty

a. The Board of Control, on recommendation of the president of the institution and with the prior consent of the Board for Higher Education, shall appoint the members of the faculty. Initial appointments to the theological seminaries require also the prior approval of their electors.

b. Appointments shall ordinarily be for terms of one to four years. Appointments with permanent tenure may also be made if the candidate has already been granted permanent tenure by another educational institution of the Synod

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or if the requirements for the granting of permanent tenure are satisfied at the time the appointment is made.

c. The Board of Control may decline to renew the appointment of a faculty member without tenure at its discretion and without formal statement of cause. If reappointment to the teaching staff is not contemplated, the Board of Control shall so notify the faculty member, through the president of the institution, at least 6 months peior to the expiration of the current appointment.

d. The terms and conditions of every appointment shall be stated in writing and be in the possession of both the institution and the prospective faculty member before the appointment is consummated. Limitations of academic freedom because of the religious nature and aims of the institution shall be stated in writing at the time of the appointment and conveyed to the person being appointed.

e. From time to time the Board for Higher Education shall provide general statements on selection and advancement criteria based on academic, professional, ministerial, or other applicable qualifications.

f. Ordinarily candidates for teaching positions with tenure on the Synod's instructional staffs shall be graduates of a theological seminary or teachers college affiliated with the Synod or shall have achieved such status by colloquy. When, exceptionally, laymen are involved, they should be persons who are solemnly pledged to the Holy Scriptures as the inspired Word of God and to the Lutheran Confessions.

6.54 Permanent Tenure

a. The Board of Control may grant permanent tenure at any time to any member of the faculty, regardless of rank, upon the recommendation of the president and with the prior consent of the Board for Higher Education and the electors of the institution (see 6.115).

b. The electors may grant such consent by any appropriate procedure 4 weeks after a notice of the intent to grant tenure has been published in the official publications of the Synod.

c. If a faculty member completes 7 years of creditable service (periods of leave are not included) as a member of the faculty of one or more educational institutions of the Synod of collegiate or seminary level, at least the last four of which shall be in the institution he is currently serving, and has not been granted permanent tenure, he shall be granted permanent tenure. His 7 years of creditable service shall be deemed sufficient satisfaction of all probationary requirements.

d. The granting of permanent tenure shall in no case be construed as requiring or indicating advancement in rank.

6.55 Ranking of Members of Staff

a. The Board of Control shall determine the assignment and rank of members of the faculty and of the administrative officers.

b. The approved nomenclature for the ranks of faculty members is: instructor, assistant professor, associate professor, professor.

c. The descriptive prefixes "visiting" or "guest" may be used, when appropriate, with the designation of any rank. The descriptive suffix "emeritus" may be used, when appropriate, with the designation for any rank, by special resolution of the Board of Control in the case of each person to be so designated.

d. Persons appointed with the designation "graduate assistant" shall not be voting members of the faculty but may be granted other faculty privileges and benefits as determined by the Board of Control.

6.59 Faculty Organization and Meetings

e. The faculty shall elect a secretary and provide for the election of committees, consisting of faculty members or of faculty members and other persons, who shall study, evaluate, and report to the faculty on policy matters affecting the activity of the institution, the activity and welfare of the members of the faculty, and the life and welfare of the students.

6.73 Exchanges and Transfers - deleted

6.79 Modified Service and Retirement

a. The president of a synodical institution may be honorably retired from his presidential responsibilities by action of the Board of Control, or at his request, at any time after the end of the school year in which he attains the age of 60, or after 15 years of service as president of the same school. He shall be relieved of his presidential responsibility at the end of the school year in which he reaches the age of 65.

b. A president who has been honorably retired from his presidential responsibilities shall ordinarily no longer be actively associated with the school which he last served.

c. A president who has been honorably retired may elect to serve under the direct jurisdiction of the Board for Higher Education. In such cases the retired president's compensation and benefits shall be a direct responsibility of the Board for Higher Education, and his responsibilities and assignments, if any, shall be determined by that Board.

d. Former presidents shall continue to hold the rank of professor if and when they become members of a faculty or staff of a synodical school or it they opt to serve directly under the Board for Higher Education. Former presidents shall also retain the synodical housing and retirement provisions for professors and administrators.

e. Faculty members may be honorably retired or transferred to modified service by action of the Board of Control at the age of 65 or any year thereafter and shall be retired at the age of 75.

f. Service loads and conditions of service after age 65 shall be modified according to individual capacity and shall be determined by the Board of Control.

g. The compensation of a faculty member who is on modified service may be reduced provided that the Board of Control shall, upon diligent and regular inquiry, satisfy itself that the total income available to him is sufficient to provide a level of living appropriate to his status.

6.83 Removal from Office

. . . with the provision, however, that in the event of a suspension the case shall be submitted to the synodical Board of Appeals.

6.101 Call for Nominations

The Board of Control, with prior consent of the Board for Higher Education, shall issue in the official publications of the Synod a call for the nomination of candidates for the presidency of the institution. The call for nominations shall describe the office and the qualifications desired to fill it.

6.103 Who May Nominate Candidates

Candidates may be nominated by congregations of the Synod, the Board for Higher Education, the Board of Control, and the faculty of the institution.

6.105 Status and Parish Experience of Candidates - deleted

6.107 Publication of Names of Nominees

All nominations must be filed with the secretary of the Board of Control within 90 days of the date of its published request unless the request sets a later date. The secretary of the Board of Control shall thereupon publish the names of the nominees in the official publications of the Synod, stating also the date on which the election is to be held, which shall be not less than 6 weeks after the date of the publication of the names of the nominees. Copies of the notice shall at the same time be sent to the President of the Synod and the Board for Higher Education.

6.109 Recommendations or Objections

All recommendations, statements of qualifications of any nominees, or objections to any nominee with reasons therfor, must be filed with the Board of Control before the time fixed for the election. If a charge of false doctrine or offensive life is registered, the Board of Electors shall investigate and reach a decision on such charge before proceeding with the election.

6.111 President of the Institution to Make Recommendations - deleted

6.113 The Faculty Committee

A committee elected by the faculty shall make a careful analysis of the needs of the institution, the requirements of the Synod, and the academic and personal qualifications of the nominees. To this end the secretary of the Board of Control shall make available to this committee all information, recommendations, and objections which he shall receive. On the basis of its studies the faculty committee shall make pertinent recommendations to the electors with regard to the choice of a suitable person from a list of candidates which they propose for the elector's consideration.

6.115 Electors

At a Meeting of the Board of Control held to elect a president, there shall be present and voting as electors: the members of the Board of Control as a group with one vote (the District President not voting with the board), the President of the synodical District or his official representative with a distinct vote, the President of the Synod or his official representative with one vote, and the chairman of the Board for Higher Education or his official representative with one vote.

6.117 Elections

The election shall be held on the day designated in the notice published in the official publications of the Synod or as soon thereafter as feasible; and after due consideration of the recommendations and statements of qualifications submitted on behalf of all nominees, or of objections to any, there shall be elected from the list of candidates proposed by the faculty committee or as amended by it after mutual consent with the electors, as the case may be, the person best qualified for the position to be filled, or the Board of Control shall be requested to postpone the election or to issue a new call for nominations as conditions may indicate.

Sections 6.125, 6.127 and 6.129 - deleted.

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APPENDIX J

HANDBOOK OF THE LUTHERAN CHURCH - MISSOURI SYNOD

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6.65 Evangelical Discipline and the Right of Appeal

c. add the last line as follows: In such situation there shall be no right of appeal under the provisions of Section 5.01 ff.

6.75 Controversies Among Faculty Members

Controversies and disagreements among members of the faculty (other than those set forth in 6.81) shall be submitted to the president of the institution for mediation. If this proves unsuccessful, he shall report the matter to the Board of Control for arbitration. After hearing the parties the board will render its decision, which shall be final, without the right of appeal under the provisions of Section 5.01ff. A record of the proceedings shall befiled with the Board for Higher Education.

6.79 Modified Service and Retirement

h. The Brazil District shall have the right to determine the length of the term of office of its synodical school presidents.

6.81 Incompetency or Incapacity

. . . provided, however, that any such person shall be entitled to appeal such decision under the provisions of Section 5.01 ff.

6.83 Removal from Office

. . . synodical Commission of Adjudication.

APPENDIX K

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6.01 Personnel and Election

A Board for Higher Education consisting of three pastors, one teacher or superintendent of education of day schools, and three laymen shall be elected by the Synod.

6.23 Personnel of Boards of Control

a. Except for the two theological seminaries each Board of Control shall include the following voting members:

1. The President of the geographical District in which the synodical institution is located. He may designate a District Vice-President as his standing representative.

2. At least five and no more than nine members,as specified by the charter or corporate articles of the institution, who shall be elected at the conventions of the Synod for terms of 4 years in such manner that about one half of the members shall be elected at each convention of the Synod. The elective members shall include one to three pastors, one or two teachers, and three to five laymen.

b. The Board of Control of the theological seminaries shall consist of the following voting members:

1. Three pastors, two teachers, and four laymen elected by the Synod. These shall be elected at the convention of the Synod for terms of 4

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years in such a manner that approximately one half of the elected members shall be elected at each convention of the Synod.

2. A Vice-President of the Synod appointed by the President of the Synod.

3. The President of the geographical District in which the seminary is located.

6.53 Appointment of Members of the Faculty

a. The Board of Control on recommendation of the president of the institution shall appoint the members of the faculty.

b. The initial appointment to the faculty shall require the prior consent of the Board for Higher Education, and in the case of initial appointment to a theological seminary also the prior approval of its electors. Appointments shall ordinarily be for terms of one to 4 years and may be entended, but not beyond a total service period of 6 years in the respective college or seminary, at the end of which time the contract shall expire and the question of tenure under Section 6.54b shall be considered.

c. Proposals for renewal of appointment shall be submitted for prior review and recommendation to the Board for Higher Education. The Board for Higher Education at its discretion may offer a report in person to the taking of action by the Board of Control. Final decision on the renewal of appointment shall be the sole prerogative of the Board of Control.

d. Appointments with permanent tenure may be made if the candidate has already been granted permanent tenure by another educational institution of the Synod or if the requirements for the granting of permanent tenure are satisfied at the time the appointment is made.

e. The Board of Control may decline to renew the appointment of a faculty member without tenure at its discretion and without formal statement of cause. If reappointment to the teaching staff is not contemplated, the Board of Control shall notify the faculty member through the president of the institution at least 6 months prior to the expiration of the current appointment.

f. The terms and conditions of every appointment shall be stated in writing and be in the possession of both the institution and the prospective faculty member before the appointment is consummated. Limitations of academic freedom because of the religious and confessional nature and aims of the institutions shall be stated in writing at the time of the appointment and conveyed to the person being appointed.

g. The Board of Higher Education after consultation with its Advisory Council shall provide policy statements on academic, professional, theological, ministerial, and other criteria for the appointment and advancement of faculty members.

h. Ordinarily candidates for teaching positions with tenure on the Synod's instructional staffs shall be graduates of a theological seminary or teachers college affiliated with the Synod or shall have achieved such status by colloquy. When, in exceptional cases, laymen are involved, they should be persons who are solemnly pledged to the Holy Scriptures as the inspired Word of God and to the Lutherans Confessions.

6.54 Permanent Tenure

a. The Board of Control may grant permanent tenure at any time to any member of the faculty, regardless of rank, upon the recommendation of the president and with the prior consent of the electors of the institution. Proposals for granting permanent tenure shall be submitted for prior review and recommendation to the Board for Higher Education. The Board for Higher Education at its discretion may offer a report in person prior to the taking of action by the Board of Control. The electors may then grant such consent by any procedure which they deem appropriate. Such action shall be taken no earlier than 6 weeks after a notice of the intent to grant tenure has been published in the official periodicals of the Synod. The Board of Control shall give the faculty member the opportunity to respond to any negative comments prior to the Board's final action.

b. If a faculty member has completed 5 years of creditable service (periods of leave are not included) as a member of the faculty of one or more educational institutions of the Synod of collegiate or seminary level, at least the last 2 years of which shall have been in the institution he is currently serving, and has not been granted permanent tenure, the president is obligated to take up the question of permanent tenure with the Board of Control. The Board of Control shall either carry forward the procedure for granting permanent tenure or inform the faculty member of its decision not to grant tenure and thus terminate his contract at least 6 months before the expiration of the 6th year of service. If the Board of Control does not take up the question of permanent tenure at least 9 months prior to the end of the 6th year of service, the faculty member shall petition the Board of Control to take up the question of permanent tenure. Tenure may be granted only by direct action of the Board of Control.

c. The granting of permanent tenure shall in no case be construed as requiring or indicating advancement in rank.

6.59 Faculty Organization and Meetings

f. The faculty shall elect a standing hearings committee or assign the functions of such a committee to another standing committee.

6.71 Sabbatical Leave and Leave of Absence

a. The Board of Control, with approval

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of the Board for Higher Education, may grant any member of the instructional staff who has served 7 years at synodical institutions a sabbatical leave for one-half year with pay or for an entire year with half pay, to pursue advanced studies in his special field of work or in any other acceptable program of experience or research or to gain additional parish experience.

6.77 Removal from Office

a. The Board of Control may decline to renew the appointment of a faculty member without permanent tenure at the time of the expiration of the term of the appointment in accordance with paragraph 6.53e.

b. No member of the faculty who has been granted permanent tenure and no member of the faculty without permanent tenure at times other than the expiration of the term of his appointment shall be removed form the faculty either by ecclesiastical suthority or by the Board of Control except for causes hereinafter enumerated and by procedures hereinafter described.

c. The only causes for which members of a faculty may be removed from office (within the definitions of a and b above), other than honorable retirement, are:

1. professional incompetency;
2. incapacity for the performance of duty because of physical, mental, or emotional disabilities;
3. refusal to cooperate;
4. neglect or refusal to perform duties of office;
5. conduct unbecoming a Christian;
6. advocacy of false doctrine (Constitution, Article II).

6.78 Board Supervision

The Board of Control shall have the sole prerogative, subject only to the action of the convention, to investigate through procedures hereinafter set forth charges of professional incompetency, incapacity for the performance of duty because of physical, mental, or emotional disabilities, refusal to cooperate, or neglect of or refusal to perform duties of office; in these cases the president of the institution shall normally present the charges. Through procedures hereinafter set forth, the Board of Control shall also have responsibility to investigate charges of false doctrine or conduct unbecoming a Christian.

6.79 Procedures for Exercising Board Supervision

a. When the Board of Control receives a charge against any member of the faculty of an educational institution of the Synod, in the spirit of Christian love it shall first call upon the complainant to communicate directly with the person against whom he has a complaint and attempt to find a peaceful and amicable resolution of the matter.

b. If subsequently the complainant desires to pursue the matter, he shall so notify the Board of Control and present the charge in writing, formulated with reasonable definiteness, and the evidence. The Board of Control shall then direct the president of the institution to attempt to deal with it to the satisfaction of all concerned. Charges against the president of the institution shall be dealt with by the chairman of the Board of Control. If the complainant does not notify the Board of Control and present his charge in writing within 60 days, the Board of Control may rule that the matter has been resolved to the complainant's satisfaction.

c. If the board decides not to proceed, or if the board has not acted within 90 days after the complainant has notified the Board of Control in writing that he wishes to pursue the matter, and if the complainant is dissatisfied and the charge involves conduct unbecoming a Christian or advocacy of false doctrine (Constitution, Article II) the complainant may take his complaint to the District President. If he finds the action of the District President unacceptable, he may take his complaint to the synodical President under the pertinent provisions of Bylaw 6.80.

d. If the board should decide to proceed and if the charge is of a theological nature, the Board shall submit the theological question at issue to the Commission on Theology and Church Relations for an advisory theological opinion. If such a case the Board decides that the charge is serious enough to threaten immediate harm to the accused or others by his continuance as a member of the faculty, the board may suspend the faculty member from his teaching duties; contractual obligations of the institution, however, shall continue until the charge is resolved.

e. Furthermore if the Board of Control has decided to proceed it shall also direct the faculty hearings committee to hold a hearing with respect to the validity of the charge that has been made. The notification of the hearing, approved and issued by the board through the president of the institution at least 4 weeks in advance and sent to the chairman of the committee, to the complainant and the accused, shall contain (a) a statement of the charge or charges, (b) a summary of the evidence on which the charges are based, (c) a statement that the hearings committee will conduct a hearing and that the time and the place thereof shall be determined by the hearings committee, (d) a formal invitation to the complainant and the accused to attend the hearing, (e) a statement to the complainant and the accused that they are entitled to counsel and (f) the opinion of the Commission on Theology and Church Relations if a theological issue is involved.

f. No less than 2 weeks prior to a suitable date set for the hearing, the accused shall submit to the president, to the hearings committee and to the complainant his written answer to the charges or he shall state that he desires no hearing to be held.

g. If the accused fails to answer the

statement of charges or declares that he desires no hearing to be held, the hearing committee shall consider whether the grounds stated constitute adequate cause for dismissal, and in its discretion may independently investigate the truth of the charges.

h. If a hearing is held it shall be private unless the accused requests a public hearing. However, the president or his representative, and the complainant, the accused, and their advisers shall have the right to be present at the hearing at all times. Opportunity for cross examination and for presenting testimony by competent witnesses shall be afforded.

i. The hearings committee shall forward its findings to the complainant, to the accused, to the president, and to the Board of Control.

j. After the findings of the hearings committee have been conveyed to the Board of Control, the board after hearing whatever additional witnesses it may desire to hear and considering all pertinent evidence, including, if it is a theological issue, the opinion of the Commission on Theology and Church Relations, shall render a decision. This decision shall in no case be rendered without having given the accused a personal hearing, with right of counsel, and with adequate opportunity for the preparation of a response to the charge, as well as having given an opportunity for the complainant with right of counsel to appear before the Board of Control.

K. If the decision of the Board of Control is that the accused is to be removed from the faculty, the Board of Control shall formally, in writing, notify the accused that his appointment to the faculty is being terminated and shall specify the effective date of the termination.

l. If the charge sustained against the individual is of such a nature that it could disqualify him from further membership in the Synod under Article XIII, the District President of the accused shall be so notified and a transcript of the proceeding shall be forwarded to the District President. The District President shall then proceed in the manner prescribed in the Constitution and Bylaws.

m. If a faculty member has lost his membership in the Synod through the ecclesiastical route (By-law 6.80) he shall automatically forfeit his membership on the faculty after the appeals procedure has been applied or after he has failed to file an appeal within 90 days. During the 90 day period and during the appeals procedure, if an appeal is made, the Board of Control shall suspend him from teaching activity but shall continue to meet its contractual obligations.

6.80 Ecclesiastical Supervision

A faculty member who is a clergy or teacher member of the Synod is under the eccesiactical supervision of the Synod. In cases in which such a faculty member is charged with false doctrine or conduct unbecoming a Christian and in which the complainant finds unacceptable the decision of the Board of Control not to pursue the charge, he may be dealt with by the District President or the synodical President and be removed from membership in the Synod and therefore from office in harmony with the provision of the Constitution and Bylaws of the Synod (e.g., Constitution Article III 7-8; VI: XI B: XII 6-9; XIII: Bylaws 1.05, 1.09, 2.27, 3.45, 3.49, Chapter V, Bylaw 6.79c).

6.81 Appeals

The normal appeals procedure set forth in chapter V of the Bylaws shall apply, with the provision that if the case has been handled by the Board of Control (Bylaw 6.79) and not by the ecclesiastical authorities (Bylaw 6.80) the Commission of Adjudication shall be bypassed, notwithstanding the provisions of Chapter V of the Bylaws, and the case shall go directly to the

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Board of Appeals. Either the accused or the complainant may resort to such an appeal, but the appeal must be made within 90 days after the action has been communicated. If the complainant makes no appeal, the accused shall have the right to request a public announcement that the charge has been dismissed.

6.82 Modified Service and Retirement

(cf., 6.79 - 1971 Edition)

6.83 Removal from Office

(Deleted from 1973 Edition)

6.117 Election

The election shall be held on the day designated in the notice published in the official publications of the Synod or as soon thereafter as feasible. The electors shall give due consideration to the recommendations and statements of qualifications and objections submitted on behalf of all nominees. A majority of the electors, with the members of the Board of Control voting as individuals, may add to the list supplied by the faculty committee (6.113), after consultation with the faculty committee. If the electors are unable to complete the election, they may postpone the election and request the Board of Control to issue a new call for nominations.

APPENDIX L

HANDBOOK OF THE LUTHERAN CHURCH - MISSOURI SYNOD
1975 EDITION pp. 131-155

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VI. HIGHER EDUCATION

A. BOARD FOR HIGHER EDUCATION

6.01 Personnel and Election

A Board for Higher Education consisting of three pastors, one teacher or superintendent of education of day schools, and three laymen shall be elected by the Synod.

6.03 Functions of Board

The board shall strive to maintain the educational institutions of the Synod at a high level of efficiency and through their respective Boards of Control and faculties generally promote, improve, supervise, and direct adequate education for the preparation of its ministers and teachers, and assist, encourage, and advise with regard to means and objectives of higher education, always keeping in mind the specific religious, spiritual, and professional ideals and objectives of our whole educational system.

6.05 Duties

The board, in carrying out its functions, shall-

a. supervise the execution of all rules, regulations, and resolutions of the Synod relating to its educational system or its institutions;

b. determine, direct, and supervise, within the intent and resolutions of the Synod, the educational and administrative standards, policies, and procedures of the Synod's educational system and institutions;

c. prescribe such student admission and transfer standards as are required in the interest of effective educational procedures and are in harmony with the Synod's objectives of professional training and commensurate with the purposes and capacities of the individual institution;

d. Study the curricula in operation at each of the educational institutions of the Synod to determine whether these are adequate to carry out the synodically prescribed purposes of the school; assure itself that the policies and standards pursued at the institution are in harmony with the synodically prescribed purposes of the school; direct the institution to take appropriate corrective measures where changes and improvements are necessary to bring the school into harmony with synodically prescribed objectives;

e. study and survey, or cause to be studied and surveyed, with the necessary professional assistance, the trends and the philosophy of modern education; determine the relation and the implications thereof of the Synod's educational standards, policies, and objectives; make the results and conclusions of such studies available to the faculties of the Synod's educational institutions and to the Synod generally;

f. provide for visits to the institutions and require stated reports from the boards of control, the president, and the faculties;

g. assess its need for professional staff, prescribe duties and functions to each position, determine the qualifications necessary to fill the respective offices, and, with the approval of the President of the Synod, engage the necessary personnel;

h. engage such additional clerical and professional help as may be necessary;

i. gather, prepare, and maintain records and details of scholastic attainments, academic qualifications, and relevant data concerning persons qualified to teach at the educational institutions of the Synod. The board shall make available all these records and data to the Boards of Control of the Synod's educational institutions and to persons who are authorized to participate in calling or otherwise engaging personnel for the teaching staffs of these educational institutions;

j. be responsible to the Board of Directors for matters relating to planning, locating, and constructing educational facilities as well as for general supervision of maintenance and repair of the Synod's educational properties and for discharge by each Board of Control of its responsibilities in constructing or maintaining the physical properties of its institutions, except that the Board of Directors is directly responsible for all legal aspects of such operations;

k. convey its recommendations to the Board of Directors in all matters relating to purchase, lease, rental, or construction of any building of the Synod's colleges or seminaries;

l. make recommendations to the Board of Directors as to the order in which specific educational projects for which the Synod has made appropriations shall be carried out;

m. gather and make available application forms, statistical data, and other pertinent material relative to the Student Aid Program of the Districts, and encourage and assist the Districts in obtaining uniformity in the policies and practical administration of these programs;

n. develop plans and procedures for Synodwide recruitment and enlistment of students for the pastoral and teaching ministries and other approved synodical training programs;

o. provide professional guidance in cooperation with the synodical Board of Parish Education to area Lutheran high school associations

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and to community Lutheran high schools;

p. have authority, after receiving the consent of the Boards of Control of the colleges involved and with the approval of the synodical Board of Directors and the Council of Presidents, to consolidate colleges to the extent required by the church's professional needs and by its financial condition;

q. have discretionary authority to assign specialized and graduate programs to appropriate schools in such a way that unnecessary duplication is ended; without, however, altering or extending the synodically assigned purpose of the schools involved;

r. have authority with the approval of the Board of Directors of the Synod, the Council of Presidents, and the local Board of Control, to grant approval and to permit development of such carefully prepared 4-year programs as serve the purposes of the church and are economically defensible;

s. have such additional powers, duties, and jurisdiction as may from time to time be prescribed and authorized by resolution of the Synod.

6.07 Advisory Council

The presidents and acting presidents of the Synod's educational institutions in the United States and Canada shall constitute an Advisory Council, which shall meet at the call of the board.

6.09 Duties of Advisory Council

The advisory Council shall meet at the call of the Board for Higher Education. It shall study such problems and issues in the field of higher education and of the educational system and institutions of the Synod and such other matters as may be assigned to it by the Board for Higher Education; and it shall report the results and conclusions of its studies to the Board for

Higher Education for consideration in determining and fixing the educational policies, standards, and procedures for the educational system and educational institutions of the Synod.

6.13 Other Meetings

The Board for Higher Education shall be authorized to convene selected faculties or faculty members or administrators or other educational personnel for conferences which are in the mutual interest of the educational program of the Synod and the individual colleges and seminaries. Funds for such purposes shall be included as estimates in the annual work program proposed for administrative purposes by the Board for Higher Education.

B. BOARDS OF CONTROL

6.21 Purpose of Boards of Control

a. Except for the two theological seminaries each Board of Control shall include the following voting members:

1. The President of the geographical District in which the synodical institution is located. He may designate a District Vice-President as his standing representative.

2. At least five and no more than nine members, as specified by the charter or corporate articles of the institution, who shall be elected at the conventions of the Synod for terms of 4 years in such manner that about one half of the members shall be elected at each convention of the Synod. The elective members shall include one to three pastors, one or two teachers, and three to five laymen.

b. The Board of Control of the theological seminaries shall consist of the following voting members.

1. Three pastors, two teachers, and four laymen elected by the Synod. These shall be

elected at the convention of the Synod for terms of 4 years in such a manner that approximately one half of the elected members shall be elected at each convention of the Synod.

2. A Vice-President of the Synod appointed by the President of the Synod.

3. The President of the geographical District in which the seminary is located.

6.25 Qualifications of Elective Members

a. Pastors elected to Boards of Control shall be members of the Synod and shall hold membership in a member congregation of the Synod.

b. Teachers elected to Boards of Control shall be members of the Synod and shall hold membership in a member congregation of the Synod.

c. Laymen elected to Boards of Control shall be members of member congregations of the Synod.

d. Board membership shall be broadly representative of the Synod and preferably should include representation from more than one synodical District. Not more than two of the elective members shall be members of the same congregation.

e. Lay members of the Board of Control should be representative of various occupations.

f. Members of the Board of Control shall not be on the salaried staff of a synodical educational institution.

6.26 Prohibition of Conflict of Interest

Members of a Board of Control shall not enter into gainful business contracts or transactions with the institution.

6.27 Election of Elective Members

a. The Committee for Convention nominations shall solicit names of suitable candidates for the Board of Control of each educational institution of the Synod and compile a list of candidates in accordance with the specific provisions of Section 2.141, 2.143, 6.23,and 6.25 of the Bylaws of the Synod.

b. The required number of elective members for each Board of Control shall be elected by the voting delegates to the convention.

6.29 Vacancies

Boards of Control shall fill vacancies occurring in their elected membership, subject to the approval of the President of the Synod.

6.31 The Board's Executive

The authority and responsibility of the Board of Control shall reside in the board as a whole. The board shall delegate the application of its policies and the execution of its resolutions to the president of the institution as its executive officer.

6.33 Board of Control Meetings

a. The Board of Control shall meet at regular intervals; it shall meet at least three times each year, including special meetings.

b. The president of the institution shall attend Board of Control meetings in an advisory capacity. The president may with the board's consent occasionally ask other institutional officers to assist in reporting on special matters.

6.35 Board of Control Organization

a. Each Board of Control shall elect a chairman, a vice-chairman, a secretary, and any other officer whom its charter or corporate articles may require.

b. Each Board of Control may appoint necessary standing and special committees accountable to it.

6.37 Relation to the Synod and Legal Capacity

a. Each Board of Control shall operate and manage its institution as the agent of the Synod, in which ownership is primarily vested and which exercises its control through the Board of Directors as custodians of the Synod's property, the Board for Higher Education, and the respective Board of Control. All matters which according to synodical regulations require the attention of any board, agency, or officer of the Synod shall be submitted to the Board for Higher Education for referral to the appropriate board, agency, or officer.

b. Each Board of Control shall constitute the governing body of its respective institution. It shall constitute the body corporate of such institution and shall be vested with all powers which its members may exercise in law either as directors, trustees, or members of the body corporate, unless in conflict with the laws of the domicile of the institution or its articles of incorporation. In such event the Board of Control shall have power to perform such acts as may be required by law to effect the corporate existence of the institution.

c. Each Board of Control of an institution, or the body corporate thereof, shall receive all grants, gifts, devises, and bequests, either by deed or will or otherwise made to such institution. Report and deleivery thereof shall be promptly made to the Treasurer of the Synod or such other person as may be designated by the Board of Directors. If delivery is precluded by law or the terms of the grants, gifts, devises, and bequests, the Board of Control shall hold and administer the same, in accordance with the terms of the instrument creating such gift, under the direction of the Board of Directors of the Synod.

d. Each Board of Control of an institution, or the body corporate thereof, shall let all contracts and assume all financial obligations and contractual responsibilities in the name of its respective institution and shall supervise and control the execution thereof under the direction of the Board for Higher Education, which is responsible to the Board of Directors of the Synod for the discharge by each Board of Control of its responsibilities in these operations, except that the Board of Directors is at all times directly responsible for all legal aspects of such operations.

e. The charter, articles of incorporation, constitution, and bylaws of each institution shall conform to and be consistent with those of the Synod. Changes in them shall receive the prior consent of the Board for Higher Education and, where applicable in property and financial matters, of the Board of Directors.

f. The Board of Control shall have no power to close its institution or to sell all or any part of the property which constitutes the main campus or such institution, such power being reserved to the Synod itself in convention.

6.39 General Functions and Duties

a. The Board of Control shall make certain that the work of the institution entrusted to its care is carried on effectively, in accordance with the theological and academic standards of the Synod. To this end it shall require regular and special reports from the president as its executive officer, or through him from other officers, instructional staff members, or employees of the institution, and through formal and informal tours of the campus and attendance at its activities.

b. The Board of Control shall be responsible for the educational program and shall see to it that the curriculum approved by the Board for Higher Education for the respective institution is followed.

c. The Board of Control shall be responsible for the general welfare of its institutional staff members and other employees, for their working conditions, and for the proper housing of instructional staff members. It shall adopt standards and regulations governing the off-campus activities of instructional staff members and other employees of the institution. It shall develop policies to include salary and wage scales, provisions for tenure, promotion, vacations, periodic health examinations, sick and service leaves, dismissal, retirement and pension, and other employee welfare and benefit provisions.

d. The Board of Control shall be responsible for the general welfare of the students of its institution, the adequacy of their housing and boarding facilities, the health service available to them the appropriateness of the cocurricular activities, as well as the off-campus interests, activities, and employment of the students.

e. The Board of Control shall be responsible for the efficient business management of its institution, in accord with the system of accounting and business practices and records as may be prescribed by the Board for Higher Education in consultation with the Board of Directors. The Board shall exercise its responsibility in this area through a business manager appointed by it on recommendation of the president of the institution and responsible to him. The business manager shall keep accurate accounts of all moneys, goods, property, and assets entrusted to his care. He shall regularly deposit all moneys of the institution and its agencies in a bank or banks designated by the Board of Control, submit his books and records for inspection and audit, and for the faithful performance of his duties, furnish bond to the Synod in such amount as shall be determined by the synodical Board of Directors and at its expense.

f. The Board of Control shall be responsible for the condition of the physical property of its respective institution and shall operate, manage,control, and supervise the property, grounds, buildings, and equipment, and keep them in good repair and efficiency. It shall submit reports regarding property and maintenance annually, or on request to the Board for Higher Education for referral to the Board of Directors as custodians of the Synod's property.

g. The Board of Control shall carefully supervise the collection and disbursement of all funds raised by students for student activities, as well as the funds derived from the college store and other agencies and sources.

h. The Board of Control may appoint, or cause to be appointed or elected, standing or special committees consisting of its members or of any other persons qualified to participate in the designated activity of the committee.

C. TEACHING STAFF AND FACULTY

6.51 The Faculty

a. The faculty of each synodical institution shall consist of the president, the administrative officers holding instructional rank, and the regular instructional staff members.

b. Special lecturers and substitute teachers shall hold advisory membership on the faculty.

6.52 Administrative Officers

a. Administrative positions may be created, modified, abolished, or have functions assigned to them by the Board of Control on recommendation by the president of the institution. Such offices are to be those made necessary by the functions assigned to the institution and appropriate to its size and internal organization. Appointments to these offices are to be for renewable terms. Ordinarily administrative officers are also to carry a partial teaching load.

b. Administrative appointments shall be made by the Board of Control on recommendation by the president of the institution. The Board for Higher Education shall periodically review the internal administrative organization of the Synod's institutions.

6.53 Appointment of Members of the Faculty

a. The Board of Control on recommendation of the president of the institution shall appoint the members of the faculty.

b. The initial appointment to the faculty shall require the prior consent of the Board for Higher Education, and in the case of initial appointment to a theological seminary also the prior approval of its electors. Appointments shall ordinarily be for terms of one to 4 years and may be extended, but not beyond a total service period of 6 years in the respective college or seminary, at the end of which time the contract shall expire and the question of tenure under Section 6.54b shall be considered.

c. Proposals for renewal of appointment shall be submitted for prior review and recommendation to the Board for Higher Education. The Board for Higher Education at its discretion may offer a report in person prior to the taking of action by the Board of Control. Final decision on the renewal of appointment shall be the sole prerogative of the Board of Control.

d. Appointments with permanent tenure may be made if the candidate has already been granted permanent tenure by another educational institution of the Synod or if the requirements for the granting of permanent tenure are satisfied at the time the appointment is made.

e. The Board of Control may decline to renew the appointment of a faculty member without tenure at its discretion and without formal statement of cause. If reappointment to the teaching staff is not contemplated, the Board of Control shall so notify the faculty member through the president of the institution at least 6 months prior to the expiration of the current appointment.

f. The terms and conditions of every appointment shall be stated in writing and be in the possession of both the institution and the prospective faculty member before the appointment is consumated. Limitations of academic freedom because of the religious and confessional nature and aims of the institution shall be stated in writing at the time of the appointment and conveyed to the person being appointed.

g. The Board for Higher Education after consultation with its Advisory Council shall provide policy statements on academic, professional, theological, ministerial, and other criteria for the appointment and advancement of faculty members.

h. Ordinarily candidates for teaching positions with tenure on the Synod's instructional staff shall be graduates of a theological seminary or teachers college affiliated with the Synod or shall have achieved such status by colloquy. When, in exceptional cases, laymen are involved, they should be persons who are solemnly pledged to the Holy Scriptures as the inspired Word of God and to the Lutheran Confessions.

6.54 Permanent Tenure

a. The Board of Control may grant permanent tenure at any time to any member of the faculty, regardless of rank, upon the recommendation of the president and with the prior consent of the electors of the institution. Proposals for granting permenent tenure shall be submitted for prior review and recommendation to the Board for Higher Education. The Board for Higher Education at its discretion may offer a report in person prior to the taking of action by the Board of Control. The electors may then grant such consent by any procedure which they deem appropriate. Such action shall be taken no earlier than 6 weeks after a notice of the intent to grant tenure has been published in the official periodical of the Synod. The Board of Control shall give the faculty member the opportunity to

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respond to any negative comments prior to the Board's final action.

b. If a faculty member has completed 5 years of creditable service (periods of leave are not included) as a member of the faculty of one or more educational institution of the Synod of collegiate or seminary level, at least the last 2 years of which shall have been in the institution he is currently serving, and has not been granted permanent tenure, the president is obligated to take up the question of permanent tenure with the Board of Control. The Board of Control shall either carry forward the procedure for granting tenure or inform the faculty member of its decision not to grant tenure and thus terminate his contract at least 6 months before the expiration of the 6th year of service. If the Board of Control does not take up the question of permanent tenure at least 9 months prior to the end of the 6th year of service, the faculty member shall petition the Board of Control to take up the question of permanent tenure. Tenure may be granted only by direction and action of the Board of Control.

c. The granting of permanent tenure shall in no case be construed as requiring or indicating advancement in rank.

6.55 Ranking of Members of Staff

a. The Board of Control shall determine the assignment and rank of members of the faculty and of the administrative officers.

b. The approved nomenclature for the ranks of faculty is: instructor, assistant professor, associate professor, professor.

c. The descriptive prefixes "visiting" or "guest" may be used, when appropriate, with the designation of any rank. The descriptive suffix "emeritus" may be used, when appropriate, with the designation for any rank, by special resolution of the Board of Control in the case of each person to be so designated.

d. Persons appointed with the designation "graduate assistant" shall not be voting members of the faculty but may be granted other faculty privileges and benefits as determined by the Board of Control.

6.57 Salary Schedules

The salary schedules of all institutional employees shall be fixed by the Board of Directors on recommendation of the Board for Higher Education.

6.59 Faculty Organization and Meetings

a. Instructional staff size or special synodical responsibilities may lead to the organization of a faculty senate.

b. Faculty and faculty senate meetings shall be held at regular intervals.

c. Special meetings of the faculty or of the faculty senate may be called by the president.

d. In the president's absence the designated acting president shall preside at regular and special meetings.

e. The faculty shall elect a secretary and provide for the election of committees, consisting of faculty members or of faculty members and other persons, who shall study, evaluate, and report to the faculty on policy matters affecting the activity of the institution, the activity and welfare of the members of the faculty, and the life and welfare of the students.

f. The faculty shall elect a standing hearings committee or assign the functions of such a committee to another standing committee.

6.61 Institutional Educational Policies

a. Each faculty shall adopt rules and

regulations for the admission, transfer, dismissal, or withdrawal of students, fix the standards of scholarship to be maintained by students, determine criteria for their promotion, graduation, or failure, act on recommendations in the matter of granting certificates, diplomas, and such academic or honorary degrees as may lawfully be conferred by the institution.

b. Each faculty shall develop and construct curricula implementing the recognized and established purposes of the institution and designed to attain the synodically approved objectives of training for professional church workers. Each faculty shall pursue the improvement of teaching and learning and the evaluation of their effectiveness in every segment of the institution and its curriculum.

c. Each faculty shall develop policies, standards and programs for the out-of-class life and activity of its students so that the cocurricular and off-campus activities of the student contribute to the attainment of the educational objectives of the institution. The faculty shall draw up such standards, criteria, and regulations as will be conducive to the cultivation of a Christian deportment on the part of all students, will stimulate the creation of a cultured and academically challenging atmosphere on and about the whole campus, and will make a spiritually wholesome community life possible.

d. Each faculty shall develop policies, standards, and regulations that will contribute to the maintenance of wholesome conditions of instructional staff service and welfare.

e. The faculty of each institution which trains professional workers directly for service in the Synod shall conform its placement policies to the synodical provisions for the distributions of candidates and workers through the synodical Board of Assignments.

6.63 Institution Policy Formation

a. The regulations, standards, criteria, policies, programs, and curricula developed and adopted by each synodical faculty shall be submitted for approval to the respective Board of Control.

b. After approval, these regulations, standards, criteria, policies, programs, and curricula shall be administered and applied by the administrative officers of the institution.

c. The Board for Higher Education shall periodically review the institutional policies, programs, and curricula to determine whether they are consistent with the stated objectives of the Synod's educational system and its institutions.

6.65 Evangelical Discipline and the Right to Appeal

a. Each faculty shall develop, formulate, promote, and foster ideals, standards, and criteria of personal conduct and of the community life of the campus worthy of the Christian calling and of ministers in training for the church.

b. Each Board of Control, on recommendation of the faculty, shall adopt a comprehensive policy statement committing the school and its officers to the principles of Christian discipline, evangelical dealing, and good order governing the students individually and collectively.

c. Each student, together with his parents and advisers, shall be informed regarding the discipline policy and procedure and under what conditions and to whom an appeal from a disciplinary decision may be made. The proper line of appeal proceeds from the student and his faculty counselor through the dean of students to the president as chief executive of the institution. In such situation there shall be no right of appeal under provisions of Section 5.01ff.

6.69 Grants for Advanced Study

The Boards of Control of the Synod's

institutions shall recommend subsidies for advanced study by instructional and administrative personnel when such additional study is made mandatory or desirable by local circumstances beyond the control of the personnel involved (e.g., addition of courses, request to assist in library administration, guidance work, requirements of achieving or maintaining accreditation, modifications which the Synod requires the school to make in its program, etc). Such recommendations are to become effective on review and approval of the Board for Higher Education.

6.71 Sabbatical Leave and Leave of Absence

a. The Board of Control, with approval of the Board for Higher Education, may grant any member of the instructional staff who has served 7 years at synodical institutions a sabbatical leave for one-half year with pay or for an entire year with half pay, to pursue advanced studies in his special field of work or in any other acceptable program of experience or research or to gain additional parish experience.

b. A Board of Control, with approval of the Board for Higher Education, may grant any member of the instructional staff a leave of absence for a fixed period of time to pursue advanced studies in his special field of work or to render particular service to the Synod or to its agencies. Time so spent on a special leave shall ordinarily not be charged against a subsequent leave. Budgetary provisions shall be arranged in advance by boards and agencies invovled.

6.75 Controversies Among Faculty Members

Controversies and disagreements among members of faculty (other than those set forth in 6.81) shall be submitted to the president of the institution for mediation. If this proves unsuccessful, he shall report the matter to the Board of Control for arbitration. After hearing the parties the board will render its decision, which shall be final, without the right of appeal under the provisions of Section 5.01ff. A record of the proceedings shall be filed with the Board for Higher Education.

6.77 Removal from Office

a. The Board of Control may decline to renew the appointment of a faculty member without permanent tenure at the time of the expiration of the term of the appointment in accordance with paragraph 6.53e.

b. No member of the faculty who has been granted permanent tenure and no member of the faculty without permenent tenure at times other than the expiration of the term of his appointment shall be removed from the faculty either by ecclesiastical authority or by the Board of Control except for causes hereinafter enumerated and by procedures hereinafter described.

c. The only causes for which members of a faculty may be removed from office (without the definitions of a and b above), other than honorable retirement are:

1. professional incompetency;
2. incapacity for the performance of duty because of physical, mental or emotional disabilities;
3. refusal to cooperate;
4. neglect or refusal to perform duties of office;
5. conduct unbecoming a Christian
6. advocacy of false doctrine (Constitution, Article II).

6.78 Board Supervision

The Board of Control shall have the sole prerogative, subject only to the action of the convention, to investigate through procedures hereinafter set forth charges of professional incompetency, incapacity for the performance of duty because of physical, mental, or emotional disabilities, refusal to cooperate, or neglect of or refusal to perform duties of office; in these cases the president of the institution shall normally present the charges. Through procedures hereinafter set forth, the Board of Control shall also have responsibility to investigate charges of false doctrine or conduct unbecoming a Christian.

6.79 Procedures for Exercising Board Supervision

a. When the Board of Control receives a charge against any member of the faculty of an educational institution of the Synod, in the spirit of Christian love it shall first call upon the complainant to communicate directly with the person against whom he has a complaint and attempt to find a peaceful and amicable resolution of the matter.

b. If subsequently the complainant desires to pursue the matter, he shall so notify the Board of Control and present the charge in writing, formulated with reasonable definiteness, and the evidence. The Board of Control shall then direct the president of the institution to attempt to deal with it to the satisfaction of all concerned. Charges against the president of the institution shall be dealt with by the chairman of the Board of Control. If the complainant does not notify the Board of Control and present his charge in writing within 60 days, the Board of Control may rule that the matter has been resolved to the complainant's satisfaction.

c. If the board decides not to proceed, or if the board has not acted within 90 days the complainant has notified the Board of Control in writing that he wishes to pursue the matter, and if the complainant is dissatisfied and the charge involves conduct unbecoming a Christian or advocacy of false doctrine (Constitution, Article II) the complainant may take his complaint to the District President. If he finds the action of the District President unacceptable, he may take his complaint to the synodical President under the pertinent provision of Bylaw 6.80.

d. If the board should decide to proceed and if the charge is of a theological nature, the Board shall submit the theological question at issue to the Commission on Theology and Church Relations for an advisory theological opinion. If in such a case the Board decides that the charge is serious enough to threaten immediate harm to the accused or others by his continuance as a member of the faculty, the board may suspend the faculty member from his teaching duties; contractual obligations of the institution, however, shall continue until the charge is resolved.

e. Furthermore if the Board of Control has decided to proceed it shall also direct the faculty hearings committee to hold a hearing with respect to the validity of the charge that has been made. The notification of the hearing, approved and issued by the board through the president of the institution a least 4 weeks in advance and sent to the chariman of the committee, to the complainant and the accused, shall contain (a) a statement of the charge or charges, (b) a summary of the evidence on which the charges are based, (c) a statement that the hearings committee will conduct a hearing and that the time and the place thereof shall be determined by the hearings committee, (d) a formal invitation to the complainant and the accused to attend the hearing, (e) a statement to the complainant and the accused that they are entitled to counsel and (f) the opinion of the Commission on Theology and Church Relations if a theological issue is involved.

f. No less than 2 weeks prior to a suitable date set for the hearing, the accused shall submit to the president, to the hearings committee, and to the complainant his written answer to the charges or he shall state that he desires no hearing to be held.

g. If the accused fails to answer the statement of charges or declares that he desires no hearing to be held, the hearings committee shall consider whether the grounds stated constitute adequate cause for dismissal, and in its discretion may independently investigate the truth of the Charges.

h. If a hearing is held it shall be private unless the accused requests a public hearing. However, the president or his representative, and the complainant, the accused, and their advisers shall have the right to be present at the hearing at all times. Opportunity for cross examination and for presenting testimony by competent witnesses shall be afforded.

i. The hearings committee shall forward its findings to the complainant, to the accused, to the president, and to the Board of Control.

j. After the finds of the hearings committee have been conveyed to the Board of Control, the board after hearing whatever additional witness it may desire to hear and considering all pertinent evidence, including, if it is a theological issue, the opinion of the Commission on Theology and Church Relations, shall render without having given the accused a personal hearing, with right of counsel, and with adequate opportunity for the preparation of a response to the charge, as well as having given an opportunity for the complainant with right of counsel to appear before the Board of Control.

k. If the decision of the Board of Control is that the accused is to be removed from the faculty, the Board of Control shall formally, in writing, notify the accused that his appointment to the faculty is being terminated and shall specify the effective date of the termination.

l. If the charge sustained against the individual is of such a nature that it could disqualify him from further membership in the Synod under Article XIII, the District President of the accused shall be so notified and a transcript of the proceeding shall be forwarded to the District

President. The District President shall then proceed in the manner prescribed in the Constitution and Bylaws.

m. If a faculty member has lost his membership in the Synod through the ecclesiastical route (Bylay 6.80) he shall automatically forfeit his membership on the faculty after the appeals procedurehas been applied or after he has failed to file an appeal within 90 days. During the 90-day period and during the appeals procedure, if an appeal is made, the Board of Control shall suspend him from teaching activity but shall continue to meet its contractual obligations.

6.80 Ecclesiastical Supervision

A faculty member who is a clergy or teacher member of the Synod is under the ecclesiastical supervision of the Synod. In cases in which such a faculty member is charged with false doctrine or conduct unbecoming a Christian and in which the complainant finds unacceptable the decision of the Board of Control not to pursue the charge, he may be dealt with by the District President or the synodical President and be removed from membership in the Synod and therefore from office in harmony with the provision of the Constitution and Bylaws of the Synod (e.g., Constitution Article II 708; VI; XI B; XII 6-9; XIII; Bylaw 1.05, 1.09, 2.27, 3.45, 3.49, chapter V, Bylaw 6.79c).

6.81 Appeals

The normal appeals procedure set forth in chapter V of the Bylaws shall apply, with the provision that if the case has been handled by the Board of Control (Bylaw 6.79) and not by the ecclesiastical authorities (Bylaw 6.80) the Commission of Adjudication shall be bypassed, notwithstanding the provisions of chapter V of the Bylaws, and the case shall go directly to the Board of Appeals. Either the accused or the complainant may resort to such an appeal, but the appeal must be made within 90 days after the action has been communicated. If the complainant makes no appeal, the accused shall have the right to request a public announcement that the charge has been dismissed.

6.82 Modified Service and Retirement

a. The president of a synodical institution may be honorably retired from his presidential responsibilities by action of the Board of Control, or at his request, at any time after the end of the school year in which he attains the age of 60, or after 15 years of service as president of the same school. He shall be relieved of his presidential responsibility at the end of the school year in which he reaches the age of 65.

b. A president who has been honorably retired from his presidential responsibilities shall ordinarily no longer be actively associated with the school which he last served.

c. A president who has been honorably retired may elect to serve under the direct jurisdiction of the Board for Higher Education. In such cases the retired president's compensation and benefits shall be a direct responsibility of the Board for Higher Education, and his responsibilities and assignments, if any, shall be determined by that Board.

d. Former presidents shall continue to hold the rank of professor if and when they become members of a faculty or staff of a synodical school or if they opt to serve directly under the Board for Higher Education. Former presidents shall also retain the synodical housing and retirement provisions for professors and administrators.

e. Faculty members may be honorably retired or transferred to modify service by action of the Board of Control at the age of 65 or any year thereafter and shall be retired at the age of 75.

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f. Service loads and conditions of service after age 65 shall be modified to individual capacity and shall be determined by the Board of Control.

g. The compensation of a faculty member who is on modified service may be reduced provided that the Board of Control shall, upon diligent and regular inquiry, satisfy itself that the total income available to him is sufficient to provide a level of living appropriate to his status.

h. The Brazil District shall have the right to determine the length of the term of office of its synodical school presidents.

D. THE PRESIDENT OF THE INSTITUTION

6.91 Authority and Duties

The president of each of the Synod's institutions shall be the spiritual, academic, and administrative head thereof and shall be the executive officer of the Board of Control. The Synod, its boards, and its members shall first of all hold him responsible in all matters pertaining to the institution. In the exercise of his office he shall be charged with the duties and vested with authority as follows:

a. He shall represent the institution in its relation to the Synod and its officers and boards.

b. He shal supervise, direct, and administer the affairs of the institution in all its departments pursuant to the rules and regulations of the Synod and its boards and agencies, and the policies of the Board of Control.

c. He shall make pertinent recommendations to the Board of Control and bring to its attention matters which require its consideration or decision.

d. He shall be the academic head of the

faculty and preside at tis meetings. He shall be an ex officio member of the standing committees of the faculty and of its instructional divisions or departments.

e. He shall periodically visit the classes of professors and instructors, observe their efficiency and the execution of the prescribed curriculum, and in general secure conformity in teaching efficiency and subject matter to the standards and policies prescribed by the Synod through the Board for Higher Education.

f. He shall advise and admonish in a fraternal spirit any member of the faculty found dilatory, neglectful, or inefficient in his duties. Should this action prove ineffective, he shall request selected members of the faculty privately to engage their colleague in further fraternal discussion. If this results in failure to correct or improve the situation, the president shall report the matter to the Board of Control with his recommendation for action.

g. He may, in his effort to devise the most effective administrative structure for the institution, delegate one or more of his functions to a member of the faculty or may assign previously delegated functions to another faculty member. Standing administrative assignments shall be made by the Board of Control on his recommendation.

h. He shall be responsible for the provision of adequate spiritual counsel for every student. His primary teaching area shall be religion, theology, or vocational orientation.

i. He shall carefully watch over the spiritual welfare, personal life, conduct, educational progress, and physical condition of the students and in general exercise such Christian discipline, instruction, and supervision as may be expected at a Christian educational institution.

j. He shall be responsible for the employment, direction, and supervision of all employees of the institution.

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k. He shall be responsible for the business management of the school and for the proper operation and maintenance of grounds, buildings, and equipment. He shall make periodic and special financial reports to the Board of Control

6.93 Acting President

The Board of Control shall designate a faculty member of the institution as acting president to serve in case of the president's absence, his temporary incapacity, or a vacancy in the office.

E. ELECTION OF PRESIDENT

6.101 Call for Nominations

The Board of Control, with prior consent of the Board for Higher Education, shall issue in the official periodical of the Synod a call for the nomination of candidates for the presidency of the institution. The call for nominations shall describe the office and the qualifications desired to fill it.

6.103 Who May Nominate Candidates

Candidates may be nominated by congregations of the Synod, the Board for Higher Education, the Board of Control, and the faculty of the institution.

6.107 Publication of Names of Nominees

All nominations must be filed with the secretary of the Board of Control within 90 days of the date of its published request unless the request sets a later date. The secretary of the Board of Control shall thereupon publish the names of the nominees in the official periodical of the Synod, stating also the date on which the election is to be held, which shall be not less than 6 weeks after the date of the publication of the names of the nominees.

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Copies of the notice shall at the same time be sent to the President of the Synod and the Board for Higher Education.

6.109 Recommendations or Objections

All recommendations, statements of qualifications of any nominees, or objections to any nominee with reasons therefor, must be filed with the Board of Control before the time fixed for the election. If a charge of false doctrine or offensive life is registered, the Board of Electors shall investigate and reach a decision on such charge before proceeding with the election.

6.113 The Faculty Committee

A committee elected by the faculty shall make a careful analysis of the needs of the institution, the requirements of the Synod, and the academic and personal qualifications of the nominees. To this end the secretary of the Board of Control shall make available to this committee all information, recommendation, and objections which he shall receive. On the basis of its studies the faculty committee shall make pertiment recommendations to the electors with regard to the choice of a suitable person from a list of candidates which they propose for the electors' consideration.

6.115 Electors

At a meeting of the Board of Control held to elect a president, there shall be present and voting as electors: the members of the Board of Control as a group with one vote (the District President not voting with the board); the President of the synodical District or his official representative with a distinct vote; the President of the Synod or his official representative with one vote; and the chairman of the Board for Higher Education or his official representative with one vote.

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6.117 Election

The election shall be held on the day designated in the notice published in the official periodical of the Synod or as soon thereafter as feasible. The electors shall give due consideration to the recommendations and statements of qualifications and objections submitted on behalf of all nominees. A majority of the electors with the members of the Board of Control voting as individuals, may add to the list supplied by the faculty committee (6.113) after consultation with the faculty committee. If the electors are unable to complete the election, they may postpone the election and request the Board of Control to issue a new call for nominations.

6.119 Publication of Election

The name of the person elected shall be published in the next issue of the official periodical of the Synod.

6.121 Formal Call

The Board of Control of the institution shall extend the formal call promptly after the election.

6.123 Procedure if Call is Declined

Whenever a call is declined, the chairman shall promptly call another meeting of the electors, at which meeting the call may be reissued or another person be elected from among the remaining candidates for the Board of Control be requested to issue a new call for candidates.

APPENDIX M

HANDBOOK OF THE LUTHERAN CHURCH - MISSOURI SYNOD
1977 EDITION
CHANGES AS COMPARED TO THE 1975 EDITION:
CHANGES INCLUDE ADDITIONS, DELETIONS, AND SUBSTANTIVE CHANGES WITHIN EXISTING PARAGRAPHS AND SUBPOINTS OR MAJOR PARAGRAPHS

APPENDIX M

HANDBOOK OF THE LUTHERAN CHURCH - MISSOURI SYNOD
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SUBSTANTIVE CHANGES WITHIN EXISTING PARAGRAPHS AND SUBPOINTS OR MAJOR PARAGRAPHS

6.53 Appointment of the Members of the Faculty

e. The Board of Control may decline to renew the appointment of a faculty member without tenure at its discretion and without formal statement of cause. If reappointment to the teaching staff is not contemplated, the Board of Control shall so notify the faculty member through the president of the institution at least 6 months prior to the expiration of the current appointment. In the case of individuals under consideration for permanent tenure (6.54b) such notice of nonreappointment shall be made at least 12 months before the expiration of the current appointment.

6.54 Permanent Tenure

b. If a faculty member has completed 5 years of creditable service (periods of leave are not included) as a member of the faculty of one or more educational institutions of the Synod of collegiate or seminary level, at least the last 2 years of which shall have been in the institution he is currently serving, and has not been granted permanent tenure, the president is obligated to take up the question of permanent tenure with the Board of Control. The Board of Control shall either carry forward the procedure for granting permanent tenure or inform the faculty member of its decision not to grant tenure and thus terminate his contract. In cases in which the decision is made to terminate the individual's contract, the contract shall be extended for one year beyond the time at which notice is given. If the Board of Control does not take up the

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question of permanent tenure at least 9 months prior to the end of the sixth year of service, the faculty member shall petition the Board of Control to take up the question of permanent tenure. Tenure may be granted only by the direct action of the Board of Control.

6.80 Ecclesiastical Supervision

A faculty member who is a clergy or teacher member of Synod is under the ecclesiastical supervision of the Synod. In cases in which such a faculty member is charged with false doctrine or conduct unbecoming a Christian and in which the complainant finds unacceptable the decision or the Board of Control not to pursue the charge, he may be dealt with by the District President or the synodical President and be removed from membership in the Synod and therefore from office in harmony with the provision of the Constitution and Bylaws of the Synod (e.g., Constitution Article III 7-8; VI; XI B; XII 6-9; XIII; Bylaws 1.05, 1.09, 2.27, 3.45, 3.49, chapter V, Bylaw 6.79c). The written decisions of the Commission of adjudication and the Boards of Appeals required under Bylaw 5.37, including the finding of fact, the conclusions, and the reasons for such conclusions, shall be conveyed in writing to the Board of Control of the faculty member involved.

6.91 Authority and Duties

d. He shall be the academic head of the faculty and preside at its meetings. With the exception of the standing hearings committee or of another standing committee to which the functions of such a committee have been assigned, he shall be an ex officio member of the standing committees of the faculty and of its instructional divisions or departments.

6.107 Publication of Names of Nominees

All nominations must be filed with the secretary of the Board of Control within 90 days of the date of its published request unless the request sets a later date. The secretary of the

Board of Control shall thereupon publish the names of the nominees in an official periodical of the Synod, stating also the date on which the election is to be held, which shall be not less than 6 weeks after the date of the publication of the names of the nominees. Copies of the notice shall at the same time be sent to the President of the Synod and the Board for Higher Education.

6.119 Publication of Election

The name of the person elected shall be published in the next issue of an official periodical of the Synod.

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APPENDIX N

ORAL HISTORY INTERVIEW-RELEASE FORM
INTERVIEW DATA FORM
INTERVIEW SCHEDULE

APPENDIX N

ORAL HISTORY INTERVIEW
RELEASE FORM
INTERVIEW DATA FORM
INTERVIEW SCHEDULE

ORAL HISTORY - LCMS HIGHER EDUCATION

DAVID T. STEIN
HIGHER EDUCATION ADMINISTRATION
SAINT LOUIS UNIVERSITY
Ph.D. CANDIDATE

RELEASE FORM

This interview which I made with David T. Stein on the____ day of ___________, 197__, is to be considered my personal contribution to the research data being gathered for the Saint Louis University approved dissertation proposal titled:

> THE EVOLUTION OF POLICY DEVELOPMENT FOR PROGRAMS OF HIGHER EDUCATION IN THE LUTHERAN CHURCH-MISSOURI SYNOD AND ITS RELATIONSHIP TO INTERNAL AND EXTERNAL GOVERNANCE - 1944-1975.

______________ Date

______________________ Informant

______________________ Address

____

ORAL HISTORY - LCMS HIGHER EDUCATION

INTERVIEW DATA

1. DATE ____________

2. PLACE ____

3. INFORMANT'S NAME ______________________________

4. BIRTH DATE ______________ BIRTHPLACE __________

5. PRESENT POSITION ______________________________
(employment, business, profession)

6. EDUCATION	DEGREE EARNED	COLLEGE/UNIVERSITY
BACCALAUREATE	___________	_______________________
MASTERS	___________	_______________________
DOCTORATE	___________	_______________________
HONORARY	___________	_______________________

7. LIST ALL PREVIOUS SYNODICAL POSITIONS HELD BY:

CALL

A. ____
B. ____
C. ____
D. ____
E. ____

ELECTION

A. ____
B. ____
C. ____
D. ____
E. ____

APPOINTMENT

A. ____
B. ____
C. ____
D. ____
E. ____

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ORAL HISTORY - LCMS HIGHER EDUCATION

SOME GENERALIZATIONS

Faculties, administrators, local Boards of Control, the Board for Higher Education, and ultimately Synod in convention all have a considerable interest and stake in determining policy for programs of higher education in the Lutheran Church-Missouri Synod. Of interest to this researcher is how policies have evolved over time (1944-1975), who or which group significantly effected change, and why!

The history of policy development as we study the stable and dynamic elements of the Bylaws of Synod's Handbook, is public data. The synthesis of an historical review of policy change together with the interpretation people make of change (or the lack of it), is the burden of our research project. You are indispensable to the latter phase, namely, first hand experience with higher education in the Lutheran Church-Missouri Synod and a vital part of the period of history under study.

In order to prepare for an oral history session, you may chose to reflect on some of the suggested topics and questions which follow. Ultimately, there is no perfect or universally acceptable interview schedule for gathering oral histories. It is your experiences, documented by your best perceptions and judgments, and cherished by your memories we seek to know. We will be delighted and privileged to simply turn on the recorder, say nothing, and listen carefully to the insights you care to share concerning higher education in the Lutheran Church-Missouri Synod.

SUGGESTED TOPICS AND QUESTIONS

Topics and questions listed on the following page are intended to be no more than suggestions. There is nothing prescriptive in our design to gather historical data from you.

A. Some, none, or all of the following "topoi" (topics) are suggested for your appropriate comments as they relate to policy development in LCMS higher education.

1. Decision making
2. Academic Freedom
3. Student Rights
4. Democratic Governance
5. Administrative Structures
6. Power and Authority
7. Leadership
8. Communications
9. Shared Authority
10. Cost Effectiveness Management

B. Express your opinion on how higher education in the LCMS has come to grips with the universal goals and purposes for higher education.

1. Undergraduate Learning (Teaching)
2. Advancement of Knowledge (Research)
3. Improvement of Society (Service)

C. Has higher education in the LCMS expressed (a major, minor, none at all) concern through policy development for:

1. Innovation in education
2. Local Needs (community outreach - setting the church in the world)
3. Institutional Espirit (Internal morale building)

D. Policy

1. What has been the direction of policy development for LCMS programs in higher education?

2. Has policy development reflected the wisest use of synodical dollars?

3. Has there been consistently high level support for policy development

established by conventions of the church body.

E. Governance

1. Has governance been more structure oriented than process oriented? vice versa? Why?

2. What is your present perception of governance in LCMS higher education?

3. How important are each of the major constituencies in governing the institution?

4. What is your understanding of the role which non-board constituencies have played in influencing the development of policy in LCMS higher education?

F. Relationships

1. Where is the power, or who has the power in higher education? The campus? The Board? The BHE? SYNOD?

2. Has the LCMS approached its educational mission with eyes wide open to minorities, the non-sectarian, etc.?

3. Is LCMS style higher education culturally alive, senstive to societal change, adaptive to ecumenicity?

4. Has the LCMS related well to other major and non-major Christian bodies in cooperative efforts in higher education?

5. Is the "systems" concept of schools in the LCMS really only a myth?

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APPENDIX O

ORAL HISTORY INTERVIEWS

APPENDIX O

ORAL HISTORY INTERVIEWS

1.	Walter Stuenkel Milwaukee, Wisconsin	12-10-76
2.	Walter Gast Milwaukee, Wisconsin	12-10-76
3.	Adalbert Kretzmann Chicago, Illinois	12-14-76
4.	Walter Wolbrecht Hyde Park, Illinois	12-15-76
5.	Robert Hopmann Chicago, Illinois	12-17-76
6.	Adolph Rittmueller Chicago, Illinois	12-17-76
7.	Albert Huegli Valparaiso, Indiana	12-20-76
8.	James Manz Chicago, Illinois	12-22-76
9.	Leonhard Wuerffel Saint Louis, Missouri	1-03-77
10.	Alfred Fuerbringer Saint Louis, Missouri	1-04-77
11.	William Buege Saint Louis, Missouri	1-04-77
12.	Arthur Repp Richmond Heights, Missouri	1-05-77
13.	Arthur Ahlschwede Saint Louis, Missouri	1-05-77
14.	Lester Bayer Saint Louis, Missouri	1-05-77

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15.	J.A.O. Preus Saint Louis, Missouri	1-05-77
16.	Samuel Goltermann Saint Louis, Missouri	1-05-77
17.	Ralph Bohlmann Clayton, Missouri	1-06-77
18.	John Tietjen Saint Louis, Missouri	1-06-77
19.	Richard Schultz Clayton, Missouri	1-06-77
20.	August Suelflow Clayton, Missouri	1-06-77
21.	Robert Preus River Forest, Illinois	12-14-76
22.	Delphin Schulz Chicago, Illinois	1-20-77
23.	Merlin Pohl Ann Arbor, Michigan	1-28-77
24.	Paul Zimmerman River Forest, Illinois	2-15-77
25.	Martin Koehneke Appleton, Wisconsin	2-19-77
26.	Herbert Bredemeier Fort Wayne, Indiana	3-02-77
27.	Walter Wente Fort Wayne, Indiana	3-07-77
28.	Leonard Heidemann Seward, Nebraska	3-26-77
29.	Theophil Janzow Seward, Nebraska	3-26-77
30.	Wilfred Kruse Oak Park, Illinois	2-27-77

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VITA AUCTORIS

David Timothy Stein was born in Chillicothe, Missouri on April 25, 1936, the son of Irene and Frederick Stein. He received the Bachelor of Arts in Humanities degree from Concordia College, Saint Louis, Missouri in 1958, a Theological (Divinity) Diploma from Concordia Theological Seminary, Saint Louis, Missouri, in 1961, the Master of Arts degree from Saint Louis University in 1962, and did additional work at Northwestern University and Indiana University. He was admitted to the doctoral program at Saint Louis University in 1973. From 1962 to 1979 he has been a member of the faculty at Concordia College, River Forest, Illinois where he holds the rank of Associate Professor. During his years at Concordia he served as Director of Public Relations, Director of Placement, Assistant to the President, and Dean of Students. From 1966-1968, while on leave from Concordia, he served as Director of Communications for a $40 million dollar campaign for higher education in the Lutheran Church-Missouri Synod. He married Judith Ann Ritchhart in 1959 and they have four children: Laurie, David, Timothy, and Michelle.

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